

MONTANA LEGISLATIVE HISTORY

Chapter 518 19 81

Bill H _____ S 50

Original bill & history ☒ c

H. Committee on Local Government

S. Committee on Local Government

Hearing Date(s) 3-12 _____ c

Hearing Date(s) 1-17 _____ c

Sub. Comm. 3-18 _____ c

2-17 _____ c

Sub. Comm. 3-20 _____ c

Out 2-18 _____ c

3-26 _____ c

_____ c

Date Out 3-26 _____ c

Did this bill originate in an interim committee? _____ Yes _____ No

Committee _____

Report _____

Jnt Conf. comm. → Free Conf comm. - no
(4-11) (4-16) minutes
available at
Law Library

TRANSMITTED TO GOVERNOR: 4/21/81
ACTION: 4/23, SIGNED
CHAPTER 508

SB 50 -- MCCALLUM -- ESTABLISHING SALARIES FOR ELECTED COUNTY OFFICIALS....

FISCAL NOTE: REQUIRED
PREFILED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 12/31/80
HEARING: 1/17
REPORT: 2/20, DO PASS AS AMENDED
2ND READING: 2/23, DO PASS AS AMENDED
3RD READING: 2/25, YEAS: 46; NAYS: 2

TRANSMITTED TO HOUSE: 2/25
REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 3/2
HEARING: 3/12
REPORT: 3/26, BE CONCURRED IN, AS AMENDED
2ND READING: 3/28, AS AMENDED -- YEAS: 60, NAYS: 13
3RD READING: 3/31, YEAS: 79; NAYS: 20

RETURNED TO SENATE WITH AMENDMENTS: 3/31
2ND READING: 4/9, BE NOT CONCURRED
ON MOTION, 4/11, JOINT CONFERENCE COMMITTEE APPOINTED
SENATE
ON MOTION, 4/15, JOINT CONFERENCE COMMITTEE DISSOLVED
FREE CONFERENCE COMMITTEE APPOINTED
FREE CONFERENCE COMMITTEE REPORT ADOPTED: 4/16
2ND READING: 4/17, YEAS: 49; NAYS: 1
ON MOTION, 4/17, RULES SUSPENDED, PLACED ON 3RD READING
3RD READING: 4/17, YEAS: 36; NAYS: 7

HOUSE
ON MOTION, 4/15, JOINT CONFERENCE COMMITTEE DISSOLVED
FREE CONFERENCE COMMITTEE REQUESTED WITH
SAME MEMBERS.

FREE CONFERENCE COMMITTEE REPORT NO. 1: 4/15
2ND READING: 4/20, YEAS: 68; NAYS: 16
ON MOTION, 4/20, RULES SUSPENDED, PLACED ON 3RD READING
3RD READING: 4/20, YEAS: 72; NAYS: 23

TRANSMITTED TO GOVERNOR: 4/23/81
ACTION: 4/22, SIGNED
CHAPTER 518

SB 51 -- GALT -- TO PROVIDE COMPENSATION FOR QUALIFYING FISH AND GAME WARDENS FOR HOURS WORKED IN EXCESS OF 40 HOURS A WEEK....

FISCAL NOTE: REQUIRED
PREFILED AND REFERRED TO COMMITTEE ON FISH AND WILDLIFE: 12/30/80
HEARING: 2/10
REPORT: 2/17, ADVERSE REPORT ADOPTED -- YEAS: 47; NAYS: 2
-- KILLED

SB 52 -- REGAN -- TO TRANSFER THE SUBSTANTIVE PROVISIONS REGARDING MATERNITY LEAVE TO THE MONTANA HUMAN RIGHTS COMMISSION FROM THE DEPARTMENT OF LABOR AND INDUSTRY....

FISCAL NOTE: REQUIRED
PREFILED AND REFERRED TO COMMITTEE ON LABOR AND EMPLOYMENT RELATIONS: 12/30/80

SENATE BILL NO. 50

INTRODUCED BY McCALLUM

BY REQUEST OF THE COUNTY COMPENSATION BOARD

IN THE SENATE

January 5, 1981	Introduced and referred to Committee on Local Government.
January 6, 1981	Fiscal note requested.
January 12, 1981	Fiscal note returned.
February 20, 1981	Committee recommend bill do pass as amended. Report adopted.
February 21, 1981	Bill printed and placed on members' desks.
February 23, 1981	Second reading, do pass as amended.
February 24, 1981	Correctly engrossed.
February 25, 1981	Third reading, passed. Ayes, 46; Noes, 2. Transmitted to House.

IN THE HOUSE

March 2, 1981	Introduced and referred to Committee on Local Government.
March 27, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 28, 1981	Second reading, concurred in as amended.
March 30, 1981	On motion rules suspended and bill allowed to be transmitted on the 71st day. Motion adopted.

March 31, 1981

Third reading, concurred in as amended. Ayes, 79; Noes, 20.

IN THE SENATE

April 1, 1981

Returned from House with amendments.

April 3, 1981

Second reading, pass consideration.

April 4, 1981

On motion, consideration be passed for the day.

April 9, 1981

Second reading, amendments not concurred in.

April 10, 1981

On motion Conference Committee requested and appointed.

April 15, 1981

Conference Committee dissolved.

On motion new Free Conference Committee requested and appointed.

April 16, 1981

Free Conference Committee reported.

April 17, 1981

Second reading, Free Conference Committee report adopted.

Third reading, Free Conference Committee report adopted. Ayes, 36; Noes, 7. Transmitted to House.

IN THE HOUSE

April 21, 1981

Free Conference Committee report adopted.

IN THE SENATE

April 22, 1981

Returned from House. Sent to enrolling.

Reported correctly enrolled.

1 SENATE BILL NO. 50
2 INTRODUCED BY McCALLUM
3 BY REQUEST OF THE COUNTY COMPENSATION BOARD
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
6 7-4-2107, 7-4-2501, 7-4-2503, AND 7-4-2504, MCA,
7 ESTABLISHING SALARIES FOR ELECTED COUNTY OFFICIALS AND
8 PROVIDING FOR ANNUAL COST-OF-LIVING ADJUSTMENTS; AND
9 PROVIDING AN EFFECTIVE DATE."
10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12 Section 1. Section 7-4-2503, MCA, is amended to read:
13 "7-4-2503. Salary schedule for certain county officers.
14 (1) The salary paid to the county treasurer, county clerk
15 and recorder, clerk of the district court, county--attorneys,
16 county assessor, county superintendent of schools, and
17 county sheriff; the county surveyor in counties where county
18 surveyors receive salaries as provided in 7-4-2812; and the
19 county auditor in all counties wherein such office is
20 authorized, for the fiscal year beginning July 1, 1981, is
21 computed by adding the ~~sum of the salary shown in column A~~
22 ~~based on population as of January 1, 1979, to the salary~~
23 ~~shown in column B, based on taxable valuation as of January~~
24 ~~1, 1979, as follows:~~
25 (a) --Population of County-----Column A-----

1 Below-3,800-----\$4,494-----
2 3,800-to-3,999-----\$4,729-----
3 4,000-to-4,999-----\$4,833-----
4 5,000-to-5,999-----\$4,938-----
5 6,000-to-6,999-----\$5,058-----
6 7,000-to-7,999-----\$5,394-----
7 8,000-to-8,999-----\$5,487-----
8 9,000-to-9,999-----\$5,617-----
9 10,000-to-12,499-----\$5,708-----
10 12,500-to-14,999-----\$5,826-----
11 15,000-to-17,499-----\$5,943-----
12 17,500-to-19,999-----\$6,048-----
13 20,000-to-24,999-----\$6,165-----
14 25,000-to-29,999-----\$6,270-----
15 30,000-to-39,999-----\$6,387-----
16 40,000-to-49,999-----\$6,544-----
17 50,000-to-59,999-----\$6,779-----
18 60,000-to-69,999-----\$7,014-----
19 70,000-to-79,999-----\$7,275-----
20 80,000-to-89,999-----\$7,432-----
21 90,000-to-99,999-----\$7,676-----
22 100,000-and-over-----\$7,982-----
23 (b) --Taxable Valuation of County-----Column B-----
24 Below-32,000,000-----\$4,598-----
25 --2,000,000-to-2,999,999-----\$4,729-----

1 --370007000-to--379997999-----\$47833-----
 2 --470007000-to--479997999-----\$47938-----
 3 --570007000-to--579997999-----\$57069-----
 4 --670007000-to--679997999-----\$57394-----
 5 --770007000-to--779997999-----\$57487-----
 6 --870007000-to--879997999-----\$57617-----
 7 --1070007000-to--1179997999-----\$57788-----
 8 --1270007000-to--1379997999-----\$58226-----
 9 --1470007000-to--1579997999-----\$57942-----
 10 --1670007000-to--1779997999-----\$67047-----
 11 --1870007000-to--1979997999-----\$67165-----
 12 --2070007000-to--2274997999-----\$67270-----
 13 --2275007000-to--2479997999-----\$67387-----
 14 --2570007000-to--2979997999-----\$67544-----
 15 --3070007000-to--3479997999-----\$67779-----
 16 --3570007000-to--3979997999-----\$77814-----
 17 --4070007000-to--4479997999-----\$77275-----
 18 --4570007000-to--4979997999-----\$77432-----
 19 --5070007000-to--5479997999-----\$77667-----
 20 --5570007000-to--5979997999-----\$77902-----
 21 --6070007000-to--6479997999-----\$87138-----
 22 --6570007000-to--6979997999-----\$87372-----
 23 --7070007000-to--7479997999-----\$87687-----
 24 --7570007000-to--7979997999-----\$87843-----
 25 --8070007000-to--8479997999-----\$97878-----

1 --8570007000-to--8979997999-----\$97313-----
 2 --9070007000-to--9479997999-----\$97548-----
 3 --9570007000-to--9979997999-----\$97783-----
 4 10070007000-to--10979997999-----\$107819-----
 5 11070007000-to--11979997999-----\$107195-----
 6 12070007000-to--12979997999-----\$107398-----
 7 13070007000-to--13979997999-----\$107686-----
 8 14070007000-to--14979997999-----\$107817-----
 9 15070007000-to--15979997999-----\$117035-----
 10 16070007000-and-over-----\$117265-----
 11 annual base salary of \$14,000 to the following population
 12 increments: \$20 for each 100 persons or major fraction
 13 thereof included in the county's population as determined by
 14 the 1980 federal decennial census up to a total of 30,000
 15 and \$15 for each 100 persons or major fraction thereof above
 16 30,000.
 17 (2) (a) The county superintendent of schools shall
 18 receive, in addition to the salary based upon the ~~totals~~ of
 19 columns ~~A and B~~ above subsection (1), the sum of \$400 ~~\$500~~
 20 per year.
 21 (b) The county sheriff shall receive, in addition to
 22 the salary based upon the ~~totals~~ of columns ~~A and B~~ above
 23 subsection (1), the sum of \$2000 ~~\$5,000~~ per year.
 24 (c) ~~Except in counties of population greater than~~
 25 ~~30,000, the county attorney shall receive, in addition to~~

~~the salary based upon the totals of column A and B above~~
~~the sum of \$1,200.~~ In each county with a population in
 excess of 30,000, ~~the salary of the county attorney shall be~~
~~a full-time official under 7-4-2704, and his salary for the~~
~~fiscal year beginning July 1, 1981, shall be \$30,000 \$45,000~~
~~per year.~~

(d) In those counties where the office of the county
 attorney has been established as a full-time position
 pursuant to 7-4-2706, the salary of the county attorney for
~~the fiscal year beginning July 1, 1981, shall be set by~~
~~resolution of the county commission but it shall not exceed~~
~~the salary of the county attorney in a county with a~~
~~population in excess of 30,000 \$45,000. In other counties of~~
~~less than 30,000 population the county attorney shall be a~~
~~part-time official and his salary shall be \$22,500 for the~~
~~fiscal year beginning July 1, 1981. Beginning on July 1,~~
~~1982, and on July 1 of each succeeding year, each county~~
~~attorney shall be entitled to an increase in salary equal to~~
~~the cost-of-living increment authorized for other county~~
~~officials in 7-4-2504.~~

(e) ~~In counties where the population is 30,000 or~~
~~greater, the office of coroner shall be a full-time~~
~~position, and the coroner shall receive an annual base~~
~~salary of \$14,000 for the fiscal year beginning July 1,~~
~~1981, plus the population increments authorized for other~~

~~county offices in subsection (1). In counties of less than~~
~~30,000, the office of coroner shall be a part-time position,~~
~~and, in addition to the population increments authorized in~~
~~subsection (1), the coroner shall receive as an annual~~
~~salary:~~

~~(i) in counties of population less than 5,000, \$300;~~

~~(ii) in counties of population of at least 5,000 but~~
~~less than 15,000, \$600;~~

~~(iii) in counties of population of at least 15,000 but~~
~~less than 30,000, \$1,200;~~

~~(iv) such additional compensation as the county~~
~~governing board may by resolution provide.~~

~~(f) For each 10th year after the fiscal year beginning~~
~~July 1, 1981, the latest federal decennial census statistics~~
~~shall be the basis for computation of population increments~~
~~under this section. During the intervening 9 years, the~~
~~computation of population increments applicable on July 1 of~~
~~each year shall be based on the last calendar year's annual~~
~~estimates of counties' populations compiled by the~~
~~federal-state cooperative program for estimates of the~~
~~university of Montana bureau of business and economic~~
~~research and the U.S. bureau of the census or other estimate~~
~~that the bureau of business and economic research may~~
~~certify."~~

Section 2. Section 7-4-2107, MCA, is amended to read:

SB50

"7-4-2107. Compensation of county commissioners. (1)

Each member of the board of county commissioners in counties of the first, second, third, and fourth class shall receive an annual salary ~~to be established by resolution of the board in an amount not equal~~ to exceed the annual salary established in the schedule in 7-4-2503 for the clerk and recorder, ~~and the board of county commissioners may by resolution increase the salary of each county commissioner by a sum not greater than 30% more than authorized for the county clerk and recorder in 7-4-2503.~~

(2) Each member of the board in all other counties is entitled to ~~a an annual~~ salary ~~to be established by the board by resolution in an amount not to exceed \$40 per day for each day's attendance on the sessions of the board equal to 55% of the annual salary authorized in 7-4-2503 for the clerk and recorder or \$80 for each day in which he is actually and necessarily engaged in the performance of board duties as set by resolution of the board.~~

(3) This section does not apply to counties that have adopted a charter form of government."

Section 3. Section 7-4-2504, MCA, is amended to read:

"7-4-2504. Salaries to be fixed by resolution ~~cost~~ of living increments. (1) The county governing body shall by resolution, on or before July 1, 1979, 1982, and on or before July 1 of each year thereafter adjust and fix the

salaries of the county treasurer, county clerk, county assessor, county school superintendent, county sheriff, and county attorney; the clerk of the district court; the county auditor (if there is one); the county surveyor (if he receives a salary); and the county coroner ~~(if he receives a salary); however, the salary of the elected county official for fiscal year 1988 must be the greater of the amount computed by increasing the salary authorized for that official on June 30, 1979, by 7% or by using the salary schedule in 7-4-2503 for cost-of-living increase by adding to the annual salary computed under 7-4-2503 an increment calculated by applying to the annual base salary of \$14,000, 100% of the last previous calendar year's consumer price index for all urban consumers, U.S. department of labor, bureau of labor statistics, or other index that the bureau of business and economic research of the university of Montana may in the future recognize as the successor to that index. The cost-of-living increment for the fiscal year beginning July 1, 1983, and for each subsequent fiscal year shall be added to all cost-of-living increments granted for previous years.~~

(2) ~~The county governing body shall by resolution on or before July 1, 1980, fix the salaries of the county treasurer, county clerk, county assessor, county school superintendent, county sheriff, and county attorney; the~~

~~clerk of the district court; the county auditor (if there is~~
~~one); the county surveyor (if he receives a salary); and the~~
~~county coroner (if he receives a salary) for the following~~
~~fiscal year by increasing the salary authorized for that~~
~~official on June 30, 1980, by 7%.~~ If the application of
7-4-2503(1) does not qualify a county official for a salary
increase of at least 10% on July 1, 1981, his salary on that
date shall be increased by an amount sufficient to provide
him total salary equal to 10% more than during the previous
year."

Section 4. Section 7-4-2501, MCA, is amended to read:

"7-4-2501. Compensation of county officers. (1) The
 county surveyor (if not receiving a salary under 7-4-2812)
 and the public administrator may collect and receive for
 their own use, respectively, for official services, the fees
 and emoluments prescribed by law.

(2) All other county officers receive salaries.

~~(3) The coroner is entitled to receive a salary~~
~~established prior to July 1 of each year by the board of~~
~~county commissioners. The salary must be in effect upon the~~
~~first day of each ensuing fiscal year."~~

Section 5. Effective date. This act is effective July
 1, 1981.

-End-

STATE OF MONTANA

REQUEST NO. 1781

FISCAL NOTE

Form BD-15

In compliance with a written request received _____, 19_____, there is hereby submitted a Fiscal Note for S.B. 50 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION

An act establishing salaries for elected county officials

ASSUMPTIONS:

1. That county population will remain at the unofficial 1980 census count throughout the ~~biennium~~ biennium
2. That employers' share of payroll costs increases in direct proportion to gross salaries at 16%
3. That under existing law, FY 81 and FY 82 elected official salaries would have been increased by 7% annually.
4. That only the salary of the elected officials listed will be raised if the measure is passed.
5. That the 1979 Consumer Price index of 111.5 is the most current measurement for the purpose of this fiscal note.

FISCAL IMPACT:

	<u>FY 82</u>	<u>FY 83</u>
Total Personal Services cost under proposed law	\$ 12,256,965	\$ 12,858,892
Projected personal services cost under current law	<u>6,195,327</u>	<u>6,628,999</u>
Increased local expenditures	\$ 6,061,638	\$ 6,229,893

OTHER COMMENTS:

Section 7-4-2503 MCA pegs the salaries of deputies and assistants of county officials at 90% of the amount paid the respective county official. Historically, the salaries of all deputies and assistants are increased whenever the salaries of county officials are increased.

David M. Lewis

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-12-81

STATE OF MONTANA

REQUEST NO. 17-81

FISCAL NOTE

Form BD-15

In compliance with a written request received _____, 19 _____, there is hereby submitted a Fiscal Note for S. B. 50. _____ pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

REVISED FISCAL NOTE:

The following is a revised fiscal note for Senate Bill No. 50. Revisions were necessary in order to incorporate new assumption Number 7, and due to the fact that County Commissioners' salaries were omitted from current law calculations on the original fiscal note.

DESCRIPTION OF PROPOSED LEGISLATION:

An act establishing salaries for elected county officials.

ASSUMPTIONS:

1. That county population will remain at the unofficial 1980 census count throughout the biennium.
2. That employers' share of payroll costs increases in direct proportion to gross salaries at 16%.
3. That the 30% discretionary increase for County Commissioners' salaries will not be utilized.
4. That under existing law, FY 81 and FY 82 elected official salaries would have been increased by 7% annually.
5. That only the salary of the elected officials listed will be raised if the measure is passed.
6. That the 1979 Consumer Price Index of 11.5 is the most current measurement for the purpose.
7. That the three countys with self-government powers (Silver Bow, Anaconda/Deer Lodge, Madison) will be exempt from the provisions of the bill.

FISCAL IMPACT:

	<u>FY 82</u>	<u>FY 83</u>
Total Personal Services Cost		
Under Proposed Law	\$ 11,252,751.	\$ 12,175,346.
Projected Personal Services Cost		
Under Current Law	<u>8,915,944.</u>	<u>9,540,058.</u>
Increased Expenditures	<u>\$ 2,336,807.</u>	<u>\$ 2,635,288.</u>

OTHER COMMENTS:

Section 7-4-2503 MCA pegs the salaries of deputies and assistants of county officials at 90% of the amount paid the respective county official. Historically, the salaries of all deputies and assistants are increased whenever the salaries of county officials are increased.

Funding Information

Local Government General Funds	\$ 2,232,950.	\$ 2,494,171.
State Funds (Assessor)	<u>103,857.</u>	<u>141,117.</u>
Total Per Above	<u>\$ 2,336,807.</u>	<u>\$ 2,635,288.</u>

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-14-81

COMMITTEE ON LOCAL GOVERNMENT

SENATE BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO NOT PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CON- CURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CON- CURRED IN DATE
22	01/05/81	01/22/81	Tabled 2/3						
28	01/05/81	01/06/81	01/06/81	01/06/81					
35	01/05/81	01/08/81	01/08/81	01/08/81					
48	01/05/81	01/08/81	01/29/81			01/29/81			
48	Returned 02/06/81	02/18/81	02/18/81	02/18/81					
50	01/05/81	01/17/81	02/18/81			02/18/81			
74	01/08/81	Transferred out of	committee	01/15/81					
84	01/09/81	01/20/81	02/18/81			02/18/81			
115	01/14/81	01/20/81	01/29/81			01/29/81			
116	01/14/81	01/24/81	02/03/81		02/03/81				
121	01/14/81	01/22/81	02/18/81		02/18/81				
131	01/14/81	01/24/81	02/18/81			02/18/81			
133	01/15/81	02/14/81	02/14/81	02/14/81					
152	01/16/81	01/29/81	02/03/81	02/03/81					
153	01/16/81	01/29/81	02/14/81		02/14/81				
155	02/10/81		02/17/81	02/17/81					

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MAY 5 1981
OF MONTANA

(Use Separate Sheet for Senate, House Bills, and Resolutions)

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE SENATE

January 17, 1981

The meeting of the Local Government Committee was called to order by Chairman George McCallum on January 17, 1981 at 1:10 in Room 104, State Capitol.

ROLL CALL: Roll was called with Senator Thomas coming in late due to a Finance and Claims Committee meeting and Senator Story being excused.

Several visitors were in attendance. (See Attachments.)

Senator McCallum set down the rules for the hearing. He asked everyone speaking to come forward and state their name and whom they were representing. The proponents would be called on first and then the opponents. The proponents would then be given the chance for questions and then the committee. Senator McCallum turned the hearing over to Vice Chairman O'Hara as Senator McCallum was the sponsor of Senate Bill No. 50.

CONSIDERATION OF SENATE BILL NO. 50: Senator McCallum, sponsor of the bill, stated the Local Government Committee, during the last legislative session, sponsored a bill asking for a county salary commission. It was to be represented by all elected county officials. The Governor was to appoint the members. Senator McCallum called on the chairman of the salary commission to present the salary board's case.

Sheriff Hammermeister of Pondera County, Conrad, spoke in favor of Senate Bill No. 50. A copy of his testimony is attached. (See Exhibit A.)

Mike Stephen, Executive Director of the Montana Association of Counties, strongly supports the bill. Many in the association have long awaited elected officials receiving better salaries and he feels unity on the bill is necessary for all local government officials. The commission was charged with trying to come up with a solution and his association appreciates their efforts and does not want to see their work fragmented. The association does have a problem with some of the increases in salaries of specific individuals as some of the smaller counties do not have the money to pay this increase. The benefits of the bill, however, far outweigh the problems.

John Scully, lobbyist for the sheriffs and proponent of the bill, thinks the Local Government Committee has a unique opportunity to consider paying these people the salaries they have earned. He said there is an ever-increasing demand on local

community and county officials. The salary commission was obliged to look into this. He thanked the people that served on the commission for their hard work. They deserve credit they should receive. Mr. Scully offered his assistance in tracking down any information the committee might need.

Sheriff O'Reilly of Lewis & Clark County, Helena, spoke in favor of Senate Bill No. 50. A copy of his testimony is attached. (See Exhibit B.)

Sheriff Onstad of Gallatin County, Bozeman, said he is in favor of Senate Bill No. 50 and urges support of this bill.

Sheriff Glenn Frame of Lake County, Polson, supports the bill and asked everyone's support of it.

Jim Burns, Under Sheriff of Cascade County in Great Falls, spoke for all under sheriffs in saying they totally support Senate Bill No. 50.

Sheriff Donald Carpenter of Roosevelt County, Wolf Point, was a proponent of the bill. He stated one problem they have in northeastern Montana is they lose employees due to poor wages. There are nearby oil fields that people would rather work at due to better wages.

There were no further proponents from the law enforcement field.

Joe Roberts of the Montana County Treasurers Association and proponent of the bill, stated the main reason for their support was due to the cost of living factor. They also believe the legislature should not have to deal with this issue every session. A very honest attempt has been made to come up with a formula so each session does not have to make adjustments to county officials' salaries. The commission has made an attempt to keep this within the bounds of fiscal reality. The salaries are comparable to those of counterparts.

Roberta Wolfe, Flathead County Treasurer and proponent of the bill feels the salary commission has done a great job of coming up with a compromise. They spent 1 1/2 years concentrating on this matter and she does not feel the legislature could do a better job in 3 months. She opposes county commissioners setting salaries; if that happened you would soon see administration crumble. The treasurers' responsibilities have grown tremendously. They need responsible officials handling all operations of the county treasurer and they must provide adequate salaries to keep these people employed.

14

Glen Drake of the Montana Association of County School Superintendents, proponent of the bill, said the salary schedule would make their salaries roughly comparable to a school principal position. The passage of this bill would resolve many problems. He distributed a list of the duties of county superintendents. (See attached Exhibit C.)

Ray White of the Montana County Assessors Association said the association agrees entirely with the bill. The bill would help to acquire and retain better officials. He then stated the different salaries of county officials in Gallatin County. Mr. White thanked the committee for appointing the commission and passing legislation that created the salary study bill and thinks they have done a tremendous job.

Barbara Evans, Missoula County Commissioner, supports the bill. She said tapes of the salary commission meetings are available for review. She supports the \$14,000 base with increments as stated in Senate Bill No. 50. She gave a generalization of salaries in Missoula County and added that appointed department heads often make more money than the elected officials. They have to pay more to keep them. Liability has also increased, especially jail liability. She asked the committee to please consider this increase.

Lorraine Molitor, president of the Montana Association of Clerk and Recorders, supports the bill with one amendment. (See attached Exhibit D.)

Tom Honzel, Deputy County Attorney of Lewis and Clark County, was also a proponent of the bill. He said you must keep in mind that county government is getting to be big business. He said county elected officials do need good qualified legal representation. The county attorney has to be professional and meet high qualifications. The criminal case load has increased as well as the civil activities. The county attorney is the chief legal advisor to all county officials. An attorney with a private practice averages \$45,000 per year. Salaries for county attorneys have to look attractive to attorneys. Mr. Honzel said he would be available throughout the session if anyone had any questions.

Mickey Nelson of the Montana Elected County Officials and the Montana Coroners Association stated both associations fully support this bill. He will be available for any questions.

Sarah Rowe, Clerks of District Courts and proponent of the bill gave her testimony and submitted a copy. (See attached Exhibit E.)

Mary McKee, Association of Clerks of District Court, said she thought it was a good bill and county officials have a unique form of employment that is costly to maintain.

Ruthmary Tonn, Gallatin County Commissioner and proponent of the bill, said there is a great responsibility in the counties. She is for the salaries provided for in Senate Bill No. 50

Jim Straw, Yellowstone County Commissioner, spoke in favor of Senate Bill No. 50. He said there is wide-based support in the county for an equitable wage increase. Commissioners do support the basic principle of the bill, however, they do have reservations on some aspects of the bill because there seems to be, among the different counties, quite a variation of responsibilities due to work load and populations. He wanted to speak for Yellowstone County in saying they do support the concept that county officials must have an increase in salary to be comparable to their city counterparts.

Kenneth Coulter, a Garfield County Commissioner, supports the bill. He said Garfield County has problems getting people to donate time and effort to be county commissioner. To get qualified people they need salaries increased in light of the duties and responsibilities they have. They need flexibility for smaller counties.

Rita Brown, Fergus County Assessor in Lewistown and proponent of the bill, believes the salaries the commission proposed can be lived with in all counties and feels it is a good bill.

Merrill Klundt, Yellowstone County Clerk and Recorder and proponent of the bill, said in some counties the deputy receives more than the elected official. He believes the 30% factor used in North Dakota would be worth looking into. He will supply copies to the committee if they would like.

Will Tiddy, Lake County Assessor, hopes the committee gives consideration to Senate Bill No. 50.

No further proponents appeared before the committee.

Chairman O'Hara then called for opponents to Senate Bill No. 50.

Ray Stimps, Toole County Taxpayers Association, spoke in opposition to Senate Bill No. 50. Mr. Stimps read from the agenda of his association's last meeting. The subject of the up-coming raise in pay for county commissioners was unanimously voted down by the association. He said there are quite a few poor people in the county and they think any increase in taxation, under present inflationary conditions, would affect poor people more than the rest.

Local Government Committee Minutes

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Alvin Zinne, a Golden Valley County taxpayer and opponent to the bill, does not see how one bill can work for small counties as well as the large ones. He said if the legislature was trying to cut taxes, this is a poor way to do it. Golden Valley County cannot double their mill levy to meet these salary increases. He said the best time to set salaries would be when people go in to pay their personal property taxes.

Jim Straw, Yellowstone County Commissioner, also spoke against Senate Bill No. 50. He said if Yellowstone County had to make the coroner position full time, they would have to combine that position with the position of sheriff because the coroner position does not warrant full time help. He said perhaps conditions are different in other counties but in Yellowstone County it would create problems. He believes all county officials should receive the same pay to avoid problems between themselves.

No further opponents appeared before the committee.

Chairman O'Hara then asked for questions from the committee.

Senator Van Valkenburg asked Sheriff Hammermeister if there was a written report from the salary commission. Sheriff Hammermeister replied the bill is the report. They do have written minutes of their meetings if the Senator would like to see them.

Senator Conover asked, if in a case such as Golden Valley County, would this bill mean the salary increase is mandatory. Sheriff Hammermeister said they use the word "shall" in the bill instead of "may" so it would be mandatory. The sheriff added that most counties do not have the money available for these salary increases. They are in hopes of an additional mill levy being added to the General Fund to aid the counties in meeting this increase.

Senator Ochsner asked if someone would explain the 30% factor to him. He was wondering if that factor would help in the smaller counties. Sheriff Hammermeister replied the 30% factor would allow county commissioners or a county compensation board to raise the salaries by up to 30%.

Senator Van Valkenburg asked what formula they would use to determine the cost of living increase. Sheriff Hammermeister answered that the University of Montana would compile these statistics. Senator Van Valkenburg then asked why, if in the 1979 Legislature they determined the cost of living increase at 7%, this bill states 10%. Sheriff Hammermeister said the minimum of 10% is strictly a grandfather clause. He said in the cases of Rosebud and Powder River Counties where they have a high taxable valuation, they would take a cut in pay. The 10% would

be a grandfather clause to take care of such situations. The cost of living each year is based strictly upon \$14,000 per year. Fiscal year 81-82 would be strictly the salary set in Senate Bill No. 50. Fiscal year 82-83 would be the first year the cost of living would take effect. They would always figure the increase on the \$14,000 base figure, not upon the additions each year.

Senator Van Valkenburg asked if there was any discussion by the commission to use less than 100% of the cost of living figure. Sheriff Hammermeister said yes. They had discussed taking 100% of the base plus population. That would cut it to 50% of the cost of living.

Senator Van Valkenburg asked if any organization had charts of the effects on each county. An attachment to Sarah Rowe's testimony was then distributed to each committee member.

Bill Brinkle, a member of the salary commission, then offered to explain the 30% factor in more detail. Mr. Brinkle represented county commissioners on the salary board. The 30% factor was put in because the previous setting of the salaries had overlooked some counties' ability to pay the increase.

Senator Van Valkenburg asked Mr. Brinkle if county commissioners can increase every county official's salary by 30%. Mr. Brinkle replied the 30% factor could be controlled by the county commissioners or a salary board within the county.

Senator Van Valkenburg said the bill has a provision in it for the commissioners to raise their own salary. Did the salary commission adopt this or just the county commissioners. Mr. Brinkle said it was the consensus of the salary commission. The members of the commission then introduced themselves to the committee.

Senator Van Valkenburg then asked if the 30% increase is allowable to people who are presently in office to raise their own salary or does it also apply to future holders of the office. Mr. Brinkle said the officials' salaries would be set prior to their election.

Mary Svare, Toole County Treasurer and member of the salary commission, wanted to add they were given the job and some had to consolidate ideas in order to get this bill to us. They did not agree with everything. The majority ruled.

Glennadene Ferrell, Lake County Superintendent of Schools and member of the salary commission, said the 30% factor came up over and over. In the final vote the opposition to the 30% factor was defeated 6-2. Some of the commission members were very much against the 30% factor. This would create a lot of problems with office holders on an individual basis.

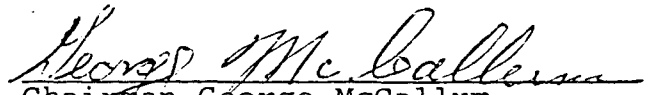
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Sally Price, a member of the salary commission, said the salary board was also a board of compromise. It is a necessary factor when you work on such a thing. The 30% problem was a very definite problem.

Senator Conover asked how the 30% factor even got started. Mr. Brinkle thought it would be a good idea for the members of the committee to review the minutes of the commission's meetings to fully understand the situation.

There was no further discussion on Senate Bill No. 50. Senator McCallum thanked everyone for coming and thanked the salary commission for all their hard work.

ADJOURN: There being no further business before the committee, the meeting was adjourned at 3:05 p.m.


Chairman George McCallum

gs

ROLL CALL

LOCAL GOVERNMENT COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 1/17/81

NAME	PRESENT	ABSENT	EXCUSED
Senator George McCallum	✓		
Senator Jesse O'Hara	✓		
Senator Pete Story		✓	✓
Senator J. Donald Ochsner	✓		
Senator Bill Thomas	✓		
Senator Max Conover	✓		
Senator Fred Van Valkenburg	✓		

Each day attach to minutes.

COUNTY COMPENSATION BOARD REPORT FOR SENATE BILL 50

The County Compensation Board was established by the 46th Legislature. It was a Senate Local Government Committee Bill SB 352. The members of the County Compensation Board are: Kathryn Humphrey, Clerk of District Court in Judith Basin County, Stanford, Montana, Glennadene Fereell, County Superintendent of Schools in Lake County, Poison, Montana, Bonnie Miller, Clerk and Recorder of Powell County, Deer Lodge, Montana, Willis McKeon, County Attorney of Phillips County, Malta, Montana, Sally Jo Price, County Assessor of Mineral County, Superior, Montana, Mary Westermarck-Svare, County Treasurer of Toole County, Shelby, Montana, William F. Brinkel, County Commissioner of Stillwater County, Columbus, Montana, and Walter J. Hammermeister, Sheriff of Pondera County, Conrad, Montana.

These board members were charged with 3 duties:

1. Review the compensation paid county elected officials in Montana; in reviewing compensation, the board shall consider the salaries paid in Montana, other states, and private enterprise and such other factors as may be pertinent to the board's duties;
2. Recommend to the 47th legislature, equitable statewide salaries for the various elected county officials, taking into consideration the duties, responsibilities, personal inconveniences, and other such factors the board considers to be pertinent; and
3. Recommend to the 47th legislature at least one plan for compensating elected county officials that would provide continuing, proper salaries and that would take into consideration cost-of-living factors or other significant factors the board feels may reduce the need for regular legislation setting the salaries of locally elected county officials.

Our first meeting was on November 9, 1979. All meetings were held in Helena. Bonnie Miller was elected Vice Chairperson and myself, Walter Hammermeister, Chairman. DCA helped by supplying Janice Hoffman as Secretary and later all around handy woman, and Dave Anzenried also assisted. He presented a proposed work schedule, and we determined how we are going to proceed.

On January 18, 1980, we had material on possible Montana State Government's comparable positions. It was generally agreed that positions in state government are more specialized and departmentalized.

Each association prepared it's own job description and it turned out if the job was comparable to a state government job that the state job paid much more than the county position. The state still pays 50% more to as much as 200% more than our new proposed county salary in Senate Bill 50.

We looked at per capita income and average employee income, but, they included part-time employees and the unemployed as well.

We looked at Sales Marketing Management Survey of Buying power for 1979 and Editor and Publisher Effective Buying Income for 1979, which is used by different Montana businesses that do survey feasibility study projects. Those 2 sources showed Montana average estimated disposable income per household and median household effective buying income all for 1979 to be \$15,305.00 and \$13,483.00 respectively. Since both figures represented take home pay, we felt they must be based on most households having 2 wage earners and therefore, was probably unrealistic.

So that each Compensation Board member would better understand the job and duties and responsibilities and personal inconvenience of the other county elected officials' jobs, and so we could try and establish proper salary, we allowed each association or different elected official to make a presentation of their job duties, responsibilities, and personal inconveniences or other factors their association felt may be interesting. They were allowed a maximum time of 1 hour for presentation with $\frac{1}{2}$ hour for questions and answers. The Clerk and Recorder County Attorneys, and County Superintendent of Schools were first, then, the Sheriffs, Clerks of Court, and County Assessors. We finished up by March 22nd, after a 2 day meeting with the Treasurers, County Commissioners, County Surveyors, Coroners, Auditors, and Justices of the Peace.

From these presentations and justifications that were presented later along with qualifications is why our Compensation Board later allowed additional compensation in Senate Bill 50 for the County Attorneys, Sheriffs, and Superintendents of Schools. All presentations

were typed out and all minutes of our meetings were typed and all meetings were tape-recorded and all recordings are still saved.

We compiled salaries of private enterprises and allowed testimony or input from private individuals. One in particular that comes to mind is a certified public accountant from Belgrade. He audits Gallatin, Madison, and Beaverhead Counties. He felt so strongly of his convictions that he came in to our meeting several times. He not only audits county government, but, private business and individual income tax. He felt that elected county officials were grossly underpaid when one considers their vast responsibilities and obligations.

It turned out that the responsibilities and obligations and duties of county elected officials far exceed the similar responsibilities and duties of state or private enterprise jobs of comparable salary.

In the meantime, we were trying to collect the salaries and how they were set for county elected officials of the 17 western states so that by our April 25th meeting we studied the salary of those states that replied. The ways other states set salary vary from state legislature doing it, as in Montana, to a formula taking into account the assessed valuation, the square miles and road miles in a county. Another state has a flat rate for various duties. If that county elected official does a specific job he gets paid a flat rate for that duty, and for each and every additional duty he performs he gets paid an additional rate for each and every duty.

One state has a county compensation board in each county and that board sets the elected officials' salary each year. Some states have the county commissioners set the salary in each county. The salary of county elected officials in other states vary from a few states that is comparable to Montana's present county elected officials salary to, I believe, a majority of states that are presently paying a salary that is similar to that salary our board is proposing for 1981 - 82 fiscal year in the Senate Bill 50.

It is interesting that in 1978 Idaho did an update on county salary. They compared salaries with counties of similar population of close states. They compared Utah, Oregon, Washington and Nevada. Even though Montana has the longest border with them, they uniquely did not use Montana salaries. We also asked John McEwen, the personnel classification

specialist for the Department of Administration, to explain his procedure of classifying state salaries.

At our May 20th meeting, we established a tentative proposal of a base plus population increments on the idea of Senate Bill 50 and then didn't have any more meetings until August 15th, so that each compensation board member could survey their counterparts over the state either by letter or at each association convention or conference to try and determine if we had the support of our fellow elected county officials.

A few reasons why we possibly went to this type of a salary schedule is through the associations' presentation of job duties, that we decided work for county elected officials was related to people and the amount of people in a county, and that the present statute schedule varies between increments of individual taxable valuation of \$325.00 to as low as \$91.00, and the population schedule varies between an individual population increment of from \$336.00 to as low as \$91.00.

We also felt that the taxable valuation of counties was starting to fluctuate because of changes in what is being taxed and how much certain items are being taxed. We felt that if those characteristics continued that in time county government may be funded by some form entirely different than what we presently have.

At our August 15th meeting, we arrived at the \$14,000.00 base and the \$20.00 per 100 population increment. We had 3 meetings after and we discussed different figures and different plans each time, including allowing the county commissioners or a compensation board to set the salaries 30% above the base and population increments. These other ideas were always voted down and we always voted to retain the idea that makes up Senate Bill 50. From the earliest meetings on, we considered the fact that a few counties are presently at their absolute top mill levy for funding county government. We realized that if there was not any money available for any pay raise in some counties, then we just might as well save our time and stay home. However, we were mandated by the 46th Legislature to review and recommend proper salaries.

During various meetings, we realized and discussed the fact that for all the various county elected officials that a noticeable amount of their duties and responsibilities are

performed by county officials, only for and so that state government can function. Many of us felt that state government should accept more obligation to help fund county government. However, we were cautious of that idea because of the fear there may be some strings attached to the state government funding.

We feel that the \$14,000.00 base can be conservatively justified from the Department of Labor and Industry records showing Montana private non-agriculture industries' average hourly earnings for over a year to be about \$6.42 per hour. (included in this average is motel maids) \$6.42 per hour is what I understand the legislature is paying their clerks. The \$14,000.00 base in Senate Bill 50 is less than \$6.75 per hour. An elected county official with the duties and responsibilities they all have should certainly be worth more than 33¢ per hour or 5% more than the average private non-agricultural industries worker of Montana.

30 years ago many elected county offices were quite often held by nice people that needed the job. Today, county government is big business handling many, many thousands and millions of dollars. The duties and responsibilities have increased many times so that all county elected positions need people of above average capabilities.

At our September 15th meeting, due to most on our board wanting to keep the spread between the smallest counties and the largest counties salary closer together, we cut the population increments for counties over 30,000 population from \$20.00 per hundred to \$10.00 per hundred. That idea stood until our last meeting on November 17th when a county commissioner from the 2nd and 3rd largest counties and a person representing the largest county committed themselves to supporting all of Senate Bill 50 if we would increase the \$10.00 per 100 population up to \$15.00 per 100 population. For those commitments, our board raised the population increment for the counties with populations exceeding 30,000.

In Senate Bill 50, on page 7, line 21, is the recommended cost-of-living. When our board first approved the cost-of-living it was based on the regular elected officials' salary of base plus population.

At the next meeting, we cut the cost-of-living about in half. Then, after an October 22nd meeting of MACO with the representatives of some of the other elected officials' associations, we arrived at the cost-of-living as printed in Senate Bill 50. All 12 elected officials

are included for this cost-of-living. The J.P.s are tied in through the present law by the Clerk of Courts' salary, the full-time County Commissioners are tied in through the salary of the Clerk and Recorder, and the County Attorneys cost-of-living is the same, but, it is listed on Page 5, starting at line 16 of Senate Bill 50.

Our compensation board is conservative in that this cost-of-living is regressive. However, we do feel it complies with the mandate of the 46th Legislature that established this board, when it charged us to perform the 3 duties. This 3rd duty will reduce the need to regularly return to legislature to increase our county salaries.

This cost-of-living is regressive in that as long as inflation increases and the cost-of-living goes up, all county elected officials will slowly fall behind (some faster than others) because the cost-of-living percent increase or decrease is based each and every year thereafter on only the \$14,000.00 base even though the cost-of-living dollars do accumulate above the \$14,000.00 base. All county officials in all the counties will receive exactly the same number of dollars. Yellowstone County will get the same as Petroleum County and the county attorney and sheriff will receive the same increase as the assessor.

Yesterday our board met with the man that is instrumental in compiling the fiscal report attached to Senate Bill 50. He commented that for some officials (like sheriffs and county attorneys) and the larger counties, the projected cost-of-living is less money than taking a straight 7% pay increase as was done the last 2 years.

On Page 9, starting at line 5 of Senate Bill 50, is a grandfather clause for salaries. Since Senate Bill 50 does change the salary schedule and no longer uses a direct taxable formula, without this grandfather clause 2 counties would have taken a pay cut (due to presently a small population and large taxable valuation), The grandfather clause does affect 4 counties and it is in effect only for one fiscal year.

The most money and largest percent of money that is on the fiscal report is made up by the largest counties. So that you can see actual dollar increase, county by county, an officer of another association, I believe, will present to you a schedule that is similar to what our compensation board had to work from.

This fiscal report is not all an obligation upon the county because the state of Montana

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pays the salary of the assessor, and that is listed on the fiscal report, but, the state also pays half the salary of the county attorney.

To assist this bill, the Sheriffs Association does have a salary bill for the deputy sheriffs that is a compliment to Senate Bill 50. Presently, only first, second and third class counties can vary the salary of their deputy sheriffs from 75% to 90%. All the other class counties must pay 90% of the sheriff's salary. Pending the appearance that Senate Bill may be passed, the sheriffs will present a deputy sheriffs bill that will allow the counties of from 0 - 15,000 population to pay the deputies 75% to 90% of the sheriff's salary, and counties with populations from 15,000 to 30,000 population pay 70% to 90%, counties from 30,000 to 60,000 population pay from 65% to 90%, and counties from 60,000 to 100,000 population to pay 60% to 90%, and counties over 100,000 population to pay from 55% to 90% of the sheriff's salary. We cannot let the deputy sheriff receive a smaller percent of pay unless we know we are getting a reasonable pay raise.

In closing, I wish to say county elected officials need Senate Bill 50 passed. My present average monthly take home pay is only \$134.00 more than my mother and father-in-laws' Social Security check.

I believe Senate Bill 50 is very conservative because in the majority of counties, the average elected official will still receive less salary (\$16,270.00) than the retirement pay of a Montana district court judge that was in the news yester, the 16th day of January, 1981.

Thank You.

*Walter L. Hammermeister
Chairman of the County Compensation Board
Representative on the board for
Montana Sheriffs & Peace Officers Assn.
Past President & current Member of Board of
Pondera County Sheriff.
Connell. Mont. 59425*

MONTANA SHERIFFS AND PEACE OFFICERS ASSOCIATION

PRESENTATION TO ELECTED OFFICIALS

SALARY COMMISSION

FEBRUARY 15, 1980

Written by Chuck O'Reilly, Sheriff
Lewis and Clark County Sheriff's Dept.
Helena, MT 59601

THE JOB OF SHERIFF EMBODIES ALL THE DUTIES OF A PROFESSIONAL ADMINISTRATOR IN ANY PUBLIC PROFESSION OR PRIVATE BUSINESS WITH THE ADDITION OF THE ELEMENTS OF DANGER AND INHERENT LIABILITIES NOT FOUND IN THE SAME DEGREE IN MOST PROFESSIONS. IN ADDITION THE SHERIFF, BY VIRTURE OF HIS WIDELY VARIED DUTIES, COMMONLY ACTS AS "GATEKEEPER" TO THE CRIMINAL JUSTICE SYSTEM AND AS A BRIDGE CONNECTING ITS VARIOUS ELEMENTS. HE IS A UNIQUE MEMBER OF COUNTY GOVERNMENT. THE DEMANDS OF THE SHERIFF IN MODERN MONTANA ARE CREATED BY THE DIVERSITY OF HATS HE WEARS IN RESPONSE TO THE IMPERATIVES OF COMMON LAWS, THE STATE CONSTITUTION, STATUTORY REQUIREMENTS, SUPREME COURT DECISIONS ON A STATE AND NATIONAL LEVEL, AND LOCAL VALUES AND NORMS WHICH ALSO IS UNIQUE IN COUNTY GOVERNMENT. THE SHERIFF IS THE CHIEF LAW ENFORCEMENT OFFICER IN THE COUNTY AND HIS AUTHORITY SUPERCEDES ALL OTHER LAW ENFORCEMENT AGENCIES AUTHORITY EXCEPT IN CASES OF MARTIAL LAW.

THE LAW ENFORCEMENT RESPONSIBILITIES OF THE SHERIFF ARE TYPICALLY DIVERSIFIED AND THE SHERIFF AND HIS MEN ARE MORE OF A GENERALIST THAN A SPECIALIST IN PROVIDING LAW ENFORCEMENT SERVICES. IN ADDITION TO DUTIES IN THE AREAS OF PATROL, CRIMINAL INVESTIGATIONS AND TRAFFIC, THEY ENFORCE LAWS IN STATE PARKS AND GAME PRESERVES, THEY SERVE CIVIL PROCESSES, HANDLE FISH AND GAME LAW AND ENVIRONMENTAL LAWS AND MANY SHERIFFS IN MONTANA HANDLE CORONERS DUTIES. ALSO THE SHERIFF ACTS AS A CORRECTIONAL OFFICER IN REGARDS TO HIS RESPONSIBILITIES CONCERNING THE COUNTY JAIL. BECAUSE OF HIS VARIED ROLES AND RESPONSIBILITIES, HE IS THOROUGHLY ENGROSSED IN INTERAGENCY RELATIONSHIPS AT ALL LEVELS OF GOVERNMENT.

IT IS NOT UNCOMMON TO FIND A LONE SHERIFF IN MONTANA WORKING 75 TO 80 HOURS A WEEK OR MORE, AND COVERING AN AREA NUMBERING IN THE THOUSANDS OF SQUARE MILES. DEPARTMENT SIZES IN MONTANA RUN THE GAMUT FROM ONE MAN DEPARTMENTS TO A HIGH OF 78 PERSONS. THE PERSONAL INCONVENIENCE TO LAW ENFORCEMENT OFFICERS IN OUR STATE IS OF PARAMOUNT IMPORTANCE. MANY DEPARTMENTS ARE STILL WORKING 6 AND 7 DAY WORK WEEKS BECAUSE THEY SIMPLY DON'T HAVE THE TIME TO TAKE OFF. THE WORKLOADS PER MAN DO NOT PROPORTIONATELY DECREASE AS THE AMOUNT OF PERSONNEL INCREASES DUE TO THE INCREASED WORK LOAD CAUSED BY HIGHER POPULATIONS AND LARGER NUMBERS OF BUSINESSES AND INDUSTRIES. EVEN IN THE LARGE AGENCIES 75 HOUR WORK WEEKS ARE NOT UNCOMMON. ONE PROBLEM WITH THIS IS THE FACT THAT WHEN AN OFFICER REACHES 90% OF THE SHERIFF'S SALARY HE CAN NO LONGER BE PAID OVERTIME. NOR CAN HE BE GIVEN COMPENSATORY TIME BECAUSE THAT CREATES GREATER WORKLOADS FOR OTHER PERSONNEL WHO THEN MUST WORK OVERTIME UNTIL IT BECOMES A VICIOUS CIRCLE WITH THE END RESULT BEING THE SHERIFF AND HIS MEN WORK OVERTIME FOR FREE. JOB MOBILITY IS ALSO A FACTOR IN SHERIFF'S DUTIES. OUR JOBS ARE NOT PERFORMED PRIMARILY BEHIND A DESK ON A DAY TO DAY BASIS, BUT ARE STRUCTURED BY NECESSITY AS BEING EXTREMELY MOBILE AND RESPONSIVE TO WHERE THE PROBLEMS OCCUR. THE SHERIFF AND/OR HIS MEN MUST WORK ALL HOLIDAYS, WEEKENDS AND NIGHT SHIFTS. OFTENTIMES WHEN THEY DO FIND TIME TO SPEND WITH THEIR FAMILIES THEY ARE CALLED BACK TO TESTIFY IN COURT OR SPEND TIME ON EMERGENCY CASE INVESTIGATIONS. THEY CAN BE CALLED OUT AT ALL HOURS OF THE DAY OR NIGHT IF THE ONE OR TWO MAN SHIFT NEEDS ASSISTANCE OR BACKUP.

IN A SMALL DEPARTMENT THIS COULD AFFECT MORE THAN HALF OR EVEN ALL OF THE TOTAL FORCE. IN ADDITION IT IS NOT INFREQUENT TO FIND A LONE SHERIFF OR DEPUTY IN A REMOTE OUTPOST TO BE MILES FROM THE NEAREST OTHER LAW ENFORCEMENT OFFICER. WEATHER IS NOT A FACTOR THAT DICTATES OUR DUTY TIME. WE MUST BE OUT THERE, SOMETIMES MORE SO, DURING PERIODS OF INCLEMENT WEATHER SUCH AS BLIZZARDS, ICY ROADS, RAIN, FOG OR ON EXTREMELY HOT DAYS. HAZARDOUS DUTY IS A CONSTANT JOB FACTOR AS YOU WILL SEE WHEN I RELATE SPECIFIC JOB FUNCTIONS.

THE LAW ENFORCEMENT ADMINISTRATOR OF TODAY MUST BE A PLANNER. PLANS ARE SPECIFICALLY REQUIRED RELATIVE TO HOW TASKS WILL BE ACCOMPLISHED FOR WHICH HIS AGENCY IS RESPONSIBLE, BOTH ON AN IMMEDIATE AND LONG TERM BASIS. TO ACCOMPLISH ANY DEGREE OF SUCCESSFUL PLANNING THE AGENCY MUST HAVE USABLE INFORMATION CONCERNING ITS CURRENT STATUS AS TO CRIME INCIDENCE, ARRESTS, CLEARANCES, PERSONNEL ACTIVITIES, EQUIPMENT AND FACILITIES STATUS, AS WELL AS BUDGETARY AVAILABILITIES. ADDITIONALLY AN IMPORTANT CONSIDERATION IN RELATION TO DATA COLLECTION AND UTILIZATION INVOLVES THE GENERATION AND USE OF COURT DISPOSITIONS. TREND DATA AND SUMMARY STATISTICS MUST ALSO BE COMPILED AND ANALYZED THROUGH WHICH TO IDENTIFY THE AGENCY'S SUCCESSES AND WEAKNESSES.

RESPONSIBILITIES OF THE JOB OF SHERIFF ARE TREMENDOUS. WE HAVE DEMANDS FOR PERFECTION FROM THE PUBLIC AND COURTS: DEMANDS FROM THE COMMUNITY FOR HIGH MORALS AND PERSONAL ESTEEM: DEMANDS FOR QUICK AND PRECISE RESPONSE TO EMERGENCY SITUATIONS: DEMANDS OF HIGH PERSONAL RISK: DEMANDS FOR PERSONAL INCONVENIENCE: AND

DEMANDS OF CONTINUALLY HAVING TO STAY ABREAST OF THE TECHNOLOGICAL CHANGES IN LAW ENFORCEMENT THAT ARE CREATED BY OTHER GOVERNMENTAL AGENCIES, THE LEGISLATURE AND COURTS DECISIONS. ADDITIONALLY WE FACE THE RESPONSIBILITIES OF PROTECTING OUR FAMILIES. RARE IT IS NOT, THAT WE RECEIVE THREATS NOT ONLY ON OUR LIVES, BUT THE LIVES OF OUR FAMILIES CONCERNING ASSAULTS, FIREBOMBINGS, EXPLOSIVES, SHOOTINGS AND JUST ABOUT ANY OTHER ACT A DEMENTED MIND CAN CONJURE UP. DIVORCE RATES, SUICIDE RATES AND ALCOHOLISM RATES ARE AMONG THE HIGHEST NATIONWIDE OF ALL PROFESSIONS DUE TO THE MENTAL PRESSURES PLACED ON OUR LAW ENFORCEMENT PEOPLE.

THE DUTIES OF THE SHERIFF AS OUTLINED IN 7-32-2121 MCA ARE AS FOLLOWS:

- 1) PRESERVE THE PEACE
- 2) ARREST AND TAKE BEFORE THE NEAREST MAGISTRATE FOR EXAMINATION ALL PERSONS WHO ATTEMPT TO COMMIT OR HAVE COMMITTED A PUBLIC OFFENSE
- 3) PREVENT AND SUPPRESS ALL AFFRAYS, BREACHES OF THE PEACE, RIOTS AND INSURRECTIONS WHICH MAY COME TO HIS KNOWLEDGE
- 4) PERFORM THE DUTIES OF A HUMANE OFFICER WITHIN THE COUNTY WITH REFERENCE TO THE PROTECTION OF DUMB ANIMALS
- 5) ATTEND ALL COURTS, EXCEPT MUNICIPAL, JUSTICE AND CITY COURTS, AT THEIR RESPECTIVE TERMS OR SESSIONS HELD WITHIN THE COUNTY AND OBEY THEIR LAWFUL ORDERS AND DIRECTIONS

- 6) COMMAND THE AID OF AS MANY INHABITANTS OF THE COUNTY AS ARE NECESSARY IN THE EXECUTION OF THE SHERIFF'S DUTIES
- 7) TAKE CHARGE OF AND KEEP THE COUNTY JAIL AND PRISONERS THEREIN
- 8) ENDORSE UPON ALL NOTICES AND PROCESS THE YEAR, MONTH, DAY, HOUR AND MINUTE OF RECEPTION AND ISSUE THEREFORE TO THE PERSON DELIVERING THEM, ON PAYMENT OF FEES, A CERTIFICATE SHOWING THE NAMES OF THE PARTIES, THE TITLE OF THE PAPER AND THE TIME OF RECEPTION
- 9) SERVE ALL PROCESS OR NOTICES IN THE MANNER PRESCRIBED BY LAW
- 10) CERTIFY IN WRITING UPON THE PROCESS OR NOTICES THE MANNER AND TIME OF SERVICE OR IF HE FAILS TO MAKE SERVICE, THE REASONS OF THIS FAILURE, AND RETURN THE PAPERS WITHOUT DELAY; AND
- 11) PERFORM SUCH OTHER DUTIES AS ARE REQUIRED BY LAW.

THIS LAST POINT LEADS ME TO THE FACT THAT THERE ARE 737 REFERENCES IN 371 DIFFERENT SECTIONS OF LAW WHICH TAKES 188 FEET OF PAPER TO PRINT. THESE ARE JUST THE STATUTORY DUTIES OF THE SHERIFF. INCLUDED WITHIN THOSE STATUTES ARE SPECIFIC REFERENCES BY TITLE SUCH AS:

1. CIVIL DUTIES
2. ACTIONS TO BE TAKEN AGAINST THE SHERIFF FOR OFFICIAL ACTS
3. GENERAL DUTIES
4. FIRE CODE DUTIES

5. ARRESTS AND DETENTION OF INDIVIDUALS
6. SHERIFF TO PROVIDE FACILITIES-ROOMS, ATTENDANTS, FURNITURE, FUEL, LIGHTS AND STATIONARY FOR HOLDING DISTRICT COURT AND JUDGES CHAMBERS
7. COLLECTION AND PAYMENT OF MONIES
8. NOTICES TO JURORS FOR SUMMONS
9. TRANSCRIPTION AND MAINTENANCE OF RECORDS
10. ATTENDANCE AT BOARD MEETINGS
11. CONTROL OF LIVESTOCK
12. SEIZURE AND IMPOUNDING OF DOGS
13. EXECUTING COURT ORDERS
14. OPERATION OF SHERIFF'S VEHICLES
15. LIABILITIES IN CIVIL ACTIONS, ESCAPES, FAILURE TO PROPERLY DISBURSE MONIES, RESCUES
16. CONFINEMENT OF FEDERAL PRISONERS
17. PROVIDE FOR PROPER HEALTH AND SAFETY OF PRISONERS
18. SALE OF PERSONAL PROPERTY
19. EXAMINATION OF RETAILERS PREMISES AND CARRIERS CARS AND AIRCRAFT
20. PROVIDE RADIO COMMUNICATION CENTERS IN DISASTERS AND NATIONAL EMERGENCIES
21. SHERIFF TO SEIZE ALL PERSONAL PROPERTY
22. WHEN ATTORNEY CAN SEE PRISONERS
23. ASSISTANCE TO/AND INSTRUCTION OF LOCAL AND STATE OFFICIALS
24. MANUFACTURER'S REGISTER OF MACHINE GUNS
25. EXECUTION OF DEATH SENTENCE

26. DISPOSITION OF PRISONERS EARNINGS
27. PUBLICATION OF ORDERS
28. PRIOR APPROVAL REQUIRED FOR CONSTRUCTION OR
ALTERATION OF EDUCATIONAL AND INSTITUTIONAL
OCCUPANCIES
29. SALE OF TRESPASSING LIVESTOCK
30. BOUNTY INSPECTORS
31. INSPECTION OF PUBLIC MARKETS
32. DISTRIBUTE FIRE CODES
33. INSPECT PUBLIC AUCTIONS
34. COLLECTION AND DISPOSAL OF FEES
35. REQUIRED TO ATTEND MONTANA LAW ENFORCEMENT ACADEMY
36. PREVENT OBSTRUCTION OF JUSTICE
37. ENFORCE ALL STATE CRIMINAL LAWS - OVER 800 WITH
CRIMINAL PENALTIES
38. ENFORCE COUNTY ORDINANCES

THIS LIST OF HEADINGS ONLY IS JUST 10% OF THE NUMBER OF
STATUTES OUTLINING THE DUTIES OF THE SHERIFF. WITHIN
THESE HEADINGS THERE ARE MULTIPLE DUTIES OUTLINED IN MOST
CASES.

IN ADDITION TO THE BASIC DUTIES OUTLINED IN THE STATUTES,
SHERIFFS OFFICES HAVE ACQUIRED ADMINISTRATIVE, PUBLIC ASSISTANCE
AND NON-STATUTORY DUTIES NUMBERING IN THE THOUSANDS THAT WOULD BE
IMPOSSIBLE TO ENUMERATE IN TOTAL. THESE DUTIES WERE ACQUIRED
THROUGH TRADITION: THROUGH THE NATURE OF THE OFFICE AS BEING
PERSONAL RESPONDERS TO PUBLIC NEED: AND THROUGH BEING A DUMPING
GROUND FOR THOSE FUNCTIONS THAT NEED TO BE PERFORMED ON A 24 HOUR

BASIS DURING WHICH TIMES NO OTHER AGENCY OR DEPARTMENT IS CONTINUOUSLY OPEN AND OPERATED.

A. PATROL FUNCTIONS INCORPORATE A MYRIAD OF DUTIES AND RESPONSIBILITIES THAT ALL SHERIFFS AND THEIR DEPUTIES PERFORM AT ONE POINT OR ANOTHER NO MATTER WHAT THEIR ADMINISTRATIVE TITLE. SPECIFIC PATROL DUTIES INCLUDE:-COLLECTING AND DISPOSING OF VICIOUS DOGS AND OTHER ANIMALS.

- LIVESTOCK BRANDS ENFORCEMENTS - INCLUDING INVESTIGATING

CATTLE RUSTLING CASES, WHICH MANY TIMES INVOLVE ATTENDING POST MORTEMES TO DETERMINE CAUSE OF DEATH; INSPECTION OF BUTCHERED MEAT AND HIDES; REMOVAL OF LIVESTOCK FROM PUBLIC AND PRIVATE AREAS; TENDING TO SICK AND INJURED LIVESTOCK; PRESERVING ANIMAL REMAINS FOR LABORATORY ANALYSIS; PERFORMING PROOF OF OWNERSHIP DUTIES WHICH ENTAILS BEING KNOWLEDGEABLE OF THE VARIOUS SPECIES AND PROVEN TECHNIQUES SUCH AS "MOTHERING UP";

- INVESTIGATE AND PROSECUTE FOR CASES OF ANIMAL ABUSE -

- INVESTIGATE INFRACTIONS OF ALL FISH AND GAME LAWS -

THE SHERIFF IS AN EX-OFFICIO GAME WARDEN, THIS INCLUDES LAWS DEALING WITH HUNTING, FISHING, TRAPPING, TRESPASSING, WATERSAFETY, AND GUIDEING TO NAME BUT A FEW;

- ENFORCE ALL FIRE CODES - SHERIFF IS COUNTY FIRE WARDEN.

THIS NOT ONLY ENTAILS STRUCTURE FIRES, BUT ALSO RANGELAND FIRES AND FOREST FIRES. IN ADDITION WE MUST PERFORM FIRE SAFETY INSPECTIONS. FIRE

PROTECTION MUST EXTEND TO ALL NON-DISTRICT
AREAS. ARSON RELATED FIRE ORIGINS MUST BE
DETERMINED AND INVESTIGATED.

- PERFORM GENERAL AND SECURITY GUARD FUNCTIONS INCLUDING:
 - A. SCENES OF LOCAL, STATE OR NATIONAL DISASTERS
 - B. AIRPLANE CRASHES
 - C. HAZARDOUS MATERIALS CRASHES AND FOR BOMBINGS -
OFTENTIMES AT GRAVE PERSONAL DANGER
 - D. CARRIER ACCIDENTS WHERE NATIONAL SECURITY OR HIGHLY
CLASSIFIED EQUIPMENT MUST BE PROTECTED
 - E. VIP PROTECTION FOR THREATENED RADICALS AS WELL AS
NATIONAL LEADERS, PROMINENT PEOPLE, COURT WITNESSES
AND THE LIKE
 - F. PROTECTION MUST BE PROVIDED FOR STRIKING RELATED
INCIDENTS
 - G. STAKEOUT DUTIES FOR FREQUENTLY HIT BUSINESS ESTABLISHMENTS
FROM CASES OF MINOR SHOPLIFTING TO MAJOR BURGLARIES
OR FIREBOMBING THREATS
 - H. SECURITY MUST BE PROVIDED FOR INDIVIDUALS THREATENED
WITH KIDNAPPINGS OR HOSTAGE SITUATIONS
 - I. SECURE VEHICULAR TRANSPORTATION MUST BE PROVIDED FOR
NOTED DIGNITARIES
 - J. ESCORTS MUST BE PROVIDED FOR EVERYTHING FROM NATIONAL
CARAVANS TO FUNERAL PROCESSIONS
- PERFORM AS COURT EXPERTS IN TESTIFYING AND EVIDENCE PRESENTATION
AS WELL AS PROVIDING COURT BAILIFFS AND SECURITY
- OPERATE AND UTILIZE TECHNICAL AND HEAVY EQUIPMENT SUCH AS:

- A. TANKER TRUCKS, DOZERS AND SEMIS IN CASE OF FIRE,
SEARCH AND RESCUE AND VEHICLE TRANSPORTATION
 - B. PHOTOGRAPHY EQUIPMENT - FROM PICTURE TAKING THROUGH
FINAL PROCESSING AND MAKING USE OF ALL TYPES OF
PHOTOGRAPHY EQUIPMENT FROM SURVEILLANCE CAMERAS AND
NIGHT SCOPES TO INFRA-RED AND LONG RANGE DEVICES. WE
MUST BE PROFICIENT IN THE USE OF VIDEO/RECORDERS AS
WELL AS VARIOUS AUDIO/VISUAL AIDS FOR USE IN
TRAINING AND COURT PRESENTATIONS
 - C. PROFICIENCY IN THE USE OF HIGHLY TECHNICAL INVESTIGATION
AND LABORATORY ANALYSIS KITS AS WELL AS ELECTRONIC
SURVEILLANCE MONITORS AND EQUIPMENT.
 - D. EMERGENCY MEDICAL APPARATUS AND LIFE SAVING EQUIPMENT
 - E. HOUSE MOVING EQUIPMENT FOR EVICTIONS OR SHERIFF'S SALES
 - F. IN SOME CASES COMPUTERS ARE UTILIZED WITHIN DEPARTMENTS
AND ALL MUST BE FAMILIAR WITH THEIR USE
 - G. COMMUNICATIONS CENTERS MUST BE SET UP AND OPERATED IN THE
EVENT OF CIVIL DISORDERS OR DISASTER SITUATIONS. THE
SHERIFF HAS PRIMARY RESPONSIBILITY FOR THE POLICY,
DIRECTION AND COORDINATION OF ALL LAW ENFORCEMENT
RESOURCES DURING A NUCLEAR CRISIS.
 - H. TACTICAL WEAPONS FROM PERSONAL PROTECTION SIDEARMS TO
SNIPER SUPPRESSION WEAPONS MUST BE LEARNED
- TRAFFIC REGULATION INCLUDES THE ENFORCEMENT OF:
- A. ALL TRAFFIC LAWS
 - B. ACCIDENT INVESTIGATIONS
 - C. GROWTH PLANNING FOR SHOPPING CENTERS
 - D. SPEED ZONE PLANNING

- E. WE ACT AS CONSULTANTS ON ROADWAY DESIGN
- F. VEHICLE INSPECTIONS FOR TITLES AS WELL AS SAFETY
- G. SELECTIVE TRAFFIC ENFORCEMENT PROGRAMS
- H. LIFE OR DEATH EMERGENCY TRANSPORTATION OF BLOOD AND VITAL ORGANS - WHICH IN ITSELF IS HAZARDOUS DUTY

- PUBLIC AND PRESS RELATIONS FUNCTIONS INCLUDE:

- A. DISSEMINATION OF PUBLIC INFORMATION ON CRIME RATES, SAFETY TIPS, CRIME PREVENTION PROGRAMS
- B. EXPLAINING HOW AND WHERE PUBLIC MONIES ARE SPENT
- C. PROVIDING LIASONS BETWEEN ALL ELEMENTS OF THE CRIMINAL JUSTICE SYSTEM - POLICE, COURTS AND CORRECTIONS - CRIMINAL JUSTICE PLANNING AGENCIES, GOVERNMENT ADMINISTRATORS, LEGISLATURE AND OTHER COUNTY OFFICIALS
- D. PROVIDING INFORMATION TO COMMUNITY AND STATE PLANNING GROUPS FOR CONSUMER NEEDS SURVEYS
- E. MAINTAINING LISTINGS AND INFORMATION ON COMMUNITY RESOURCE GROUPS FOR THE PUBLIC-SUCH AS CRISIS LINES, MENTAL HEALTH CENTERS AND THE LIKE
- F. PROVIDING INFORMATION TO TECHNICAL CONSULTANTS ON EDUCATIONAL AND PUBLIC BUILDINGS
- G. COLLECTING AND PROPERLY DISPENSING INFORMATION TO THE NEWS MEDIAS RELATING TO CRIMES, HUMAN EVENTS AND EMERGENCY DISASTER SITUATIONS
- H. PROVIDING ROAD AND WEATHER REPORTS FOR TRAVELERS

- CITIZEN ASSISTANCE FUNCTIONS INCORPORATE:

- A. ACTING AS COUNSELORS ON HUMAN NEEDS, MINISTERS FOR THE DOWN AND OUT, PARTICULARLY IN REGARDS TO SUICIDAL INTENTIONS, CRISIS INTERVENTION, FAMILY DISTURBANCE, ALCOHOLISM PROBLEMS, MARRIAGE COUNSELING AND SO ON
- B. WE ACT AS INSTRUCTORS FOR LOCAL ADULT EDUCATION CLASSES AS WELL AS FOR SCHOOL PROGRAMS FOR CHILDREN
- C. WE ATTEND VARIOUS PUBLIC AND COMMUNITY FUNCTIONS AS THEIR LAW ENFORCEMENT EXPERT
- D. WE ARE HEALTH INSPECTORS FOR PUBLIC MARKETS
- E. WE ARE SAFETY INSPECTORS FOR VARIOUS PUBLIC NEEDS
- F. WE MUST PROVIDE ASSISTANCE TO INDIVIDUALS WITH MOTORIST PROBLEMS
- G. WE, AS WELL AS FIREMEN, REMOVE CATS FROM TREES OR SKUNKS FROM WINDOWWELLS AND IF THAT ISN'T HAZARDOUS DUTY NOTHING IS
- H. WE TAKE MENTAL INCOMPETENTS OR DRUG ABUSERS INTO PROTECTIVE CUSTODY OFTEN AT OUR OWN PERSONAL EXPENSE
- I. WE INVESTIGATE ABANDONED VEHICLES AND LOCATE LOST PROPERTY
- J. WE HANDLE BARKING DOGS AND CONDUCT WELFARE CHECKS ON CITIZENS THAT HAVEN'T BEEN SEEN FOR A WHILE
- K. WE CONSTANTLY DEAL WITH CRIMES OF VIOLENCE SUCH AS ASSAULTS OR WEAPONS CALLS OFTENTIMES BECOMING THE VICTIMS OURSELVES. MANY SHERIFFS AND DEPUTIES HAVE BEEN INJURED OR SHOT IN THE RECENT PAST AND BROKEN BONES ARE ALL TOO FREQUENT
- L. WE AID SICK AND INJURED PEOPLE AND DELIVER EMERGENCY MESSAGES

M. WE INVESTIGATE SUSPICIOUS CIRCUMSTANCES WHICH IS A
CATCHALL TERM THAT CAN INCLUDE JUST ABOUT ANYTHING
OUT OF THE ORDINARY

- COMPLAINT CALLS FROM INDIVIDUALS COME IN ON A 24 HOUR BASIS AND
WE RESPOND TO:

- A. BAR FIGHTS
- B. JUVENILE GANG FIGHTS
- C. THE HANDLING OF UNSTABLE ABANDONED EXPLOSIVES THAT MUST
BE REMOVED AND DESTROYED TO PREVENT INNOCENT PEOPLE FROM
BEING INJURED
- D. LITTERING COMPLAINTS
- E. CONCEALED WEAPONS CALLS
- F. RUNAWAYS OR ESCAPEES FROM INSTITUTIONS
- G. BURGLARY IN PROGRESS CALLS - OR ARMED ROBBERIES
- H. MANY ATTEMPT TO LOCATE CALLS FOR VARIOUS REASONS
- I. ROAD COMPLAINTS
- J. BACKUP REQUESTS FROM OTHER AGENCIES OFTENTIMES INVOLVING
CASES OF RESISTING ARREST OR OFFICER ASSAULTS
- K. WE ARE CALLED IN LAND DISPUTES, KEGGERS, SPEEDING
INSTANCES, SNOWMOBILE AND MOTORCYCLE COMPLAINTS
- L. FOR VIOLATIONS OF THE CLEAN AIR ACT AND OTHER
ENVIRONMENTAL LAWS
- M. WE DO BUILDING CHECKS AND CAMPGROUND CHECKS
- N. WE PATROL CABIN OR RESORT AREAS AND CONDUCT HIGH
VISIBILITY DETERENT PATROLS
- O. WE CHECK ON PROWLERS AND OTHER SUSPICIOUS PERSONS
AND VEHICLES . . .

AND I COULD GO ON AND ON

B. IN THE AREA OF JAIL OR CORRECTIONS THE SHERIFF MUST HOUSE LOCAL, STATE AND FEDERAL PRISONERS AND PROVIDE FOR THEIR PROPER HEALTH, SAFETY AND RECREATION NEEDS. IN ADDITION WE MUST KEEP CONSTANTLY ABREAST OF FEDERAL STANDARDS AND GUIDELINES AS WELL AS RECENT COURT DECISIONS INVOLVING HUMAN RIGHTS. WE ADMIT, BOOK, SEARCH, FINGERPRINT AND PHOTOGRAPH ALL PRISONERS. CLOTHING AND BEDDING MUST BE ISSUED TO THEM. VISITING AREAS AND SUPERVISION MUST BE PROVIDED IN ALL INSTANCES OF ATTORNEYS, BONDSMEN, RELATIVES, FRIENDS, MINISTERS, COUNSELORS AND OTHER LAW ENFORCEMENT OFFICIALS CONFERRING WITH THE PRISONER, MEDICAL CARE, MEALS, LIBRARY PRIVILEGES, PERSONAL HYGIENE AND PERSONAL PROPERTY ACCOUNTING MUST ALL BE ACCORDED FOR THEM. INJURIES TO SHERIFFS PERSONNEL FREQUENTLY OCCUR DURING THE INCARCERATION PROCESS. IN ADDITION WE MUST BE ABLE TO PROVIDE SPECIAL CARE TO THOSE INDIVIDUALS INTENT ON HARMING THEMSELVES OR OTHERS, OR TO THOSE INDIVIDUALS WITH SPECIAL NEEDS. TRANSPORTATION MUST BE PROVIDED THE PRISONERS TO CRIME SCENES, HOSPITALS, DOCTORS, DENTISTS, MONTANA STATE PRISON, GALEN, WARM SPRINGS, JUVENILE FACILITIES, PSYCHIATRISTS, AND WE MUST GO AFTER AND RETURN INDIVIDUALS ON THE EXTRADITION PROCESS FROM ANYWHERE IN THE COUNTRY. BOOKKEEPING PLAYS A LARGE PART IN THE CORRECTIONAL SYSTEM AS WE, FOR EXAMPLE, MUST CONDUCT PROPER DISPOSITION OF PRISONERS EARNINGS IF THEY ARE ON WORK RELEASE WHICH IS ANOTHER PROGRAM WE MUST ADMINISTER. RELIGIOUS SERVICES AND COMMISSARY PRIVILEGES MUST BE ACCORDED THE PRISONER. ACCORDING TO LAW AND RECENT COURT DECISIONS PROPER PRISONER SEGREGATION MUST BE MAINTAINED NOT ONLY BY SEX, BUT BY

AGE, NATURE OF THEIR CRIME AND SENTENCED VS PRE-SENTENCED STATUS. INSURANCE MUST BE MADE TO SEE THEY ARE PROPERLY ARRAIGNED AND CHARGED IN COURT IN A TIMELY FASHION. RECORDS MUST BE MAINTAINED ON BONDS, RELEASE DATES AND SENTENCES. JAIL LEDGERS MUST BE KEPT UP TO DATE AND BOARD RECORDS AND BALANCES MUST BE MAINTAINED FOR PROPER BILLING OF OTHER AGENCIES.

C. CRIMINAL INVESTIGATIONS ARE GENERALLY A LENGTHY, TIME-CONSUMING PROCESS THAT INVOLVES AN OFFICER WITH THE DREGS OF OUR SOCIETY AND IS NOT THE GLAMOROUS JOB IT IS PORTRAYED TO BE ON TV AND IN THE MOVIES. CHILD ABUSE, NARCOTICS, BODY BUTCHERINGS AND BLOODY BEATINGS ARE ALL A PART OF EVERYDAY WORK. ORGANIZED CRIME IS PRESENT IN MONTANA AND MUST BE DEALT WITH. UNDERCOVER WORK AND SURVEILLANCES ARE NOT A 8 TO 5 JOB AND REMOVE US FROM OUR FAMILIES AND LEISURE TIME QUITE FREQUENTLY. OVER 800 STATUTES, AS I STATED EARLIER, WITH CRIMINAL SANCTIONS ARE ON OUR LAW BOOKS THAT WE MUST NOT ONLY BE FAMILIAR WITH IN A LEGAL SENSE, BUT WE MUST POSSESS THE TECHNOLOGICAL EXPERTISE TO INVESTIGATE THEM ALL, RANGING FROM WHITE COLLAR CRIMES, INVOLVING ACCOUNTING, TO SEXUALLY DEPRAVED CRIMES INVOLVING SEVERE EMOTIONAL TRAUMA. CONSTANT TRAINING MUST BE PROVIDED SO THAT WE MAY PROPERLY FUNCTION IN THE AREAS OF: INTERVIEWING, INTERROGATIONS, COLLECTION OF EVIDENCE, CRIME SCENE PROTECTION AND ANALYSIS, REPORT PREPARATION, LABORATORY EXAMINATIONS, POLYGRAPH EXAMINATIONS, HYPNOSIS, AND HUNDREDS OF OTHER AREAS. WE HAVE TO LOCATE AND ARREST WANTED INDIVIDUALS, CONDUCT BACKGROUND INVESTIGATIONS FOR VARIOUS TYPES OF APPLICANTS FROM GAMBLING LICENSES TO MILITARY AND GOVERNMENTAL SECURITY

POSITIONS. ASSISTANCE IS ROUTINELY PROVIDED TO OTHER LOCAL, STATE AND FEDERAL INVESTIGATORY AGENCIES. IN GENERAL WE INVESTIGATE ALL CRIMINAL INFRACTIONS OF THE LAW AND CARRY THEM THROUGH TO A HOPEFULLY SUCCESSFUL PROSECUTION. A HIGH DEGREE OF LEGAL KNOWLEDGE IS REQUIRED DUE TO THE TECHNICAL NATURE OF SEARCH WARRANT PREPARATION, FILING OF COMPLAINTS AND TO ALLOW US TO KNOW WHETHER OR NOT WE CAN MAKE A MOVE IN ANY INVESTIGATION TO PREVENT THE COURTS FROM THROWING THE CASE OUT ON A TECHNICALITY.

D. SPECIALIZED LAW ENFORCEMENT PROGRAMS MUST BE CONTINUALLY RESEARCHED AND IMPLEMENTED, IF APPLICABLE, TO PROVIDE THE CITIZENS WITH THE BEST POSSIBLE PROTECTION FROM THE CRIMINAL ELEMENT. FORCES OF RESERVE OFFICERS ARE MAINTAINED BY MANY DEPARTMENTS TO ALLOW US TO MAINTAIN A FULL COMPLEMENT OF PERSONNEL IN THE EVENTS OF PERSONNEL ILLNESS, VACATIONS, TRAINING TIME, AND TO HANDLE SPECIAL POTENTIALLY EXPLOSIVE SITUATIONS, SUCH AS ROCK CONCERTS, RODEOS, ETC. THESE RESERVES MUST BE TRAINED BY US IN AN 88 HOUR TRAINING PROGRAM AS SPECIFIED BY STATUTE. COMMUNITY CRIME PREVENTION PROGRAMS ARE OF A TECHNICAL NATURE AND TAKE A GREAT DEAL OF KNOWLEDGE TO PRODUCE AND ADMINISTER. BURGLARY PREVENTION PROGRAMS, RAPE PREVENTION TRAINING, VARIOUS JUVENILE CAREER DEVELOPMENT AND ASSISTANCE PROGRAMS, OPERATION ID AND NEIGHBORHOOD WATCH ARE BUT A FEW. K-9 PROGRAMS ARE ANOTHER EXAMPLE. WITHIN HOUSE PROGRAMS FOR THOSE DEPARTMENTS THAT ARE OF SUFFICIENT SIZE TO UTILIZE THEM ARE NECESSARY. PARTICULARLY IN REGARDS TO MARRIAGE PRESERVATION AND FAMILY COUNSELING FOR DEPARTMENT PERSONNEL.

E. THE "BUSINESS" OF SERVING AND ENFORCING CIVIL PROCESS IS ONE OF THE OLDEST AND MOST BASIC RESPONSIBILITIES OF THE SHERIFF. THE PRIMARY FUNCTIONS OF THE SHERIFF IN CIVIL WORK ARE TO ENFORCE THE RULINGS OF THE CIVIL COURTS. THIS ENTAILS THE SERVING AND EXECUTING OF ALL TYPES OF PROCESSES EMANATING FROM ANY COURT OF JUSTICE, JUDICIAL OFFICER OR COMPETENT AUTHORITY IN THIS COUNTY OR STATE, OR ANY OTHER STATE OR FOREIGN COUNTRY.

THE SHERIFF, AS THE JUDICIAL OFFICER OF THE COURTS IS REQUIRED TO ENFORCE THE MANDATES OF THE COURT. MANY OF THESE ARE ROUTINE FUNCTIONS, BUT IT IS IMPORTANT TO KNOW THAT IT IS A DUTY IMPOSED BY LAW. EXAMPLES ARE: THE RECEIVING AND ENTERING OF PROCESSES FOR SERVICE, THE SERVICE OF PROCESS, AND THE RETURN OF SERVICE; ALL SHALL BE DONE IN A MANNER PRESCRIBED BY LAW. THE "LAW" SPOKEN ABOUT HERE VARIES FROM SERVICE TO SERVICE. THE FAVORITE WORD USED BY OUR FOUNDING FATHERS TO DESCRIBE THE SERVICE OF PROCESS IS "FORTHWITH" AND IN MOST CASES THE ATTORNEY OR THE COURT INTERPRETS THIS WORD TO MEAN "YESTERDAY", HOWEVER, THE TIMELY SERVICE MAY VARY FROM AN IMMEDIATE EFFORT AS IN SUBPOENAS, EXECUTIONS OR JUDGEMENTS, RESTRAINING ORDERS, AND ORDERS TO SHOW CAUSE: TO 4-DAYS AS IN SUMMONS FOR UNLAWFUL DETAINER. SOME REQUIRE THAT SERVICE BE MADE "NOT LESS THAN 10-DAYS" SUCH AS WRITS OF RESTITUTION, OR "NOT LESS THAN 5-DAYS" PRIOR TO THE DATE SET BY THE COURT FOR HEARING; WHILE OTHERS, SUCH AS THE COMMON SUMMONS AND COMPLAINT DO NOT START THE "COURT TIME CLOCK" RUNNING UNTIL THE ACTUAL TIME THE PROCESS IS SERVED. MORE THAN 40 LAWS ARE CURRENTLY ON THE BOOKS SPELLING OUT THE DUTIES OF A SHERIFF IN PERFORMING HIS ELECTED DUTIES IN HANDLING SERVICE OF CIVIL PROCESSES. A SHERIFF FAILING TO ACT AS PRESCRIBED BY LAW MAY BE

FOUND LIABLE IN THE AMOUNT OR VALUE OF THE SERVICE. FOR THIS REASON THE CIVIL DUTY IS A JOB NOT TO BE TAKEN LIGHTLY.

THE CIVIL DEPARTMENT ALSO CONTROLS THE SHERIFFS TRUST ACCOUNT AND MONIES RECEIVED AND DISPERSED FROM THE DEPARTMENT SUCH AS BONDS, JUDGEMENTS, EXECUTIONS, SERVICE AND MILEAGE FEES, TOWING FEES, AND MISCELLANEOUS. THE FEES AND MILEAGE THE SHERIFF MAY COLLECT FOR SERVICES OF PROCESS ARE SET BY LEGISLATION. AT PRESENT THE SHERIFF MAY COLLECT \$2.00 FOR THE SERVICE OF EACH SUMMONS TOGETHER WITH A COMPLAINT, NOTICE, EXECUTION, ORDER AND/OR WRIT. FOR EACH SUBPOENA SERVED THE SHERIFF MAY COLLECT \$1.00. THE MONIES THUS COLLECTED BY THE SHERIFF FOR SUCH SERVICE OF PROCESS AND MILEAGE ARE TURNED OVER TO THE COUNTY TREASURER AND PLACED BY THE TREASURER INTO THE COUNTY GENERAL FUND.

IN ADDITION OTHER DUTIES ARE PERFORMED BY THE CIVIL DEPARTMENT INCLUDING: CONDUCTING AUCTIONS AND SHERIFF'S SALES: FORCLOSURES: SALE OF REAL ESTATE: SERVING OF WRITS: ORDERS, ATTACHMENTS, LEVIES AND GARNISHMENTS: IT MUST ACCEPT AND PAY OUT MONIES COLLECTED FROM VARIOUS SOURCES: IT MUST CONDUCT INVENTORIES: MAKE COLLECTIONS AND PLACE LIENS ON PROPERTY AND MAKE SEIZURES OF MONIES AND PROPERTY TO NAME BUT A FEW.

TAX COLLECTING IS ALSO A FUNCTION OF THE SHERIFF AND HE MUST TRACK DOWN AND COLLECT TAXES OR PROPERTY OF EQUAL VALUE FROM THOSE INDIVIDUALS WHO HAVE FAILED TO PAY THEIR FAIR SHARE. ABANDONED AND JUNK CAR DUTIES INCORPORATE A MULTIPLE GROUP OF FUNCTIONS AS WELL, INCLUDING; APPRAISALS TO DETERMINE IF ANTIQUE OR JUNK, LOCATION OF OWNER, SENDING OF CERTIFIED LETTERS, AND PROPER

REMOVAL AND DISPOSTION OF THE VEHICLE.

F. THE VERY NATURE OF THE SHERIFF AND HIS OFFICE CALLS FOR HIM TO PERFORM THE SEARCH AND RESCUE DUTIES FOR THE CITIZENS OF HIS COUNTY. AGAIN, THESE TYPES OF INCIDENTS DO NOT OCCUR ONLY ON AN 8 TO 5 P.M. BASIS AND MAY INVOLVE DAYS ON END TO SATISFACTORILY RESOLVE, OFTENTIMES WITHOUT REST OR FOOD BEING AVAILABLE. WHEN A LIFE HANGS IN THE BALANCE THESE ARE INSIGNIFICANT ITEMS UP TO A POINT. THE TYPES OF SEARCHES WE MUST PERFORM ARE LIMITED ONLY TO MAN'S IMAGINATION AND HIS ABILITIES TO GET HIMSELF INTO PRECARIOUS SITUATIONS. SOME OF THE MORE COMMON SEARCHES INVOLVE MINE CAVE-INS, AIRPLANE CRASHES, LOST HUNTERS-SNOWMOBILERS-SKIER OR HIKERS, MISSING CHILDREN, DROWNING OR BOATING ACCIDENTS, FOREST FIRE EVACUATIONS, EXTRICATIONS FROM COLLAPSED OR DAMAGED BUILDINGS-VEHICLES-TRAINS OR FARM EQUIPMENT, AVALANCHES AND REMOVAL FROM CLIFFS AND OTHER OUT OF THE WAY PLACES. SOMETIMES FOOD, MEDICAL SUPPLIES OR EVEN LIVESTOCK FEED MUST BE AIRLIFTED INTO SNOWBOUND AREAS. SPECIALIZED TRAINING AND EQUIPMENT IS A MUST IN OUR ENDEAVORS IN THIS AREA. AIRCRAFT, WATERCRAFT, CLIFF-CLIMBING EQUIPMENT, GROUND TO AIR OR WATER COMMUNICATIONS EQUIPMENT ARE ALL NECESSARY TO GET THE JOB DONE.

G. IN THE AREA OF ADMINISTRATION THE SHERIFF HAS A MYRIAD OF RESPONSIBILITIES RANGING THROUGH LEADERSHIP, PERSONNEL MOTIVATION, BUDGETING, PLANNING AND RESEARCH, DEVELOPING RULES AND REGULATIONS, PERSONNEL EVALUATIONS, WRITING STANDARDS OF PERFORMANCE, TRAINING, COST/BENEFIT ANALYSIS, MANPOWER DEPLOYMENT, CRIME ANALYSIS, SCHEDULING, PUBLIC RELATIONS, POLICE/VIOLATOR RELATIONS, CONFLICT RESOLUTION, ORGANIZATIONAL DEVELOPMENT, GOAL SETTING AND GUIDANCE, PRODUCTIVITY PLANNING, GRANTS ADMINISTRATION, FINDING ALTERNATIVE SOURCES OF REVENUE, INCARCERATION DUE PROCESS PLANNING AND COMMITMENT, NEWS MEDIA RELATIONS, CONTRACTING FOR GOVERNMENTAL SERVICES, INFORMATION SYSTEMS DEVELOPMENT, MUTUAL AID COMPACTS, PERSONNEL SUPERVISION, COORDINATING COMMUNITY RESOURCES, RECORDS MANAGEMENT, SELECTION AND RECRUITMENT OF PERSONNEL, SUPERVISORY AND EXECUTIVE DEVELOPMENT AND DISCIPLINARY MANAGEMENT JUST TO INDICATE A SAMPLE. HE MUST HAVE THE ABILITY TO PREDICT AND ANALYSE INFLATIONARY FACTORS AND MANPOWER AND EQUIPMENT NEEDS, AS WELL AS SPECIFY SUPPORTIVE SERVICES FOR BUDGETARY PURPOSES. GEOCODING, TARGET HARDENING, COMPUTER AIDED DISPATCH AND VARIOUS STATISTICAL LEVELS ARE AREAS HE MUST HAVE KNOWLEDGE AND EXPERTISE IN. HE MUST CONSTANTLY BE DOING RESEARCH TO KEEP ABREAST OF ALL THE CHANGES IN LAWS, EMERGENCY MEDICAL SERVICES, FIRE FIGHTING AND SEARCH AND RESCUE TECHNIQUES AS WELL AS BEING COGNIZANT OF EXTERNAL NATIONAL TRENDS THAT WILL HAVE AN IMPACT ON HIS DEPARTMENT SUCH AS DOWNSIZING IN POLICE VEHICLES AND GAS ALLOTMENTS.

H. PERSONNEL REQUIREMENTS FOR OFFICERS IN SHERIFFS DEPARTMENTS ARE SPECIFICALLY STATED IN THE STATUES AS FOLLOWS:

1. SELECTION OF OFFICERS REQUIRES THEY BE:

- A. A HIGH SCHOOL GRADUATE
- B. BE OF GOOD MORAL CHARACTER AS DETERMINED BY A THOROUGH BACKGROUND INVESTIGATION
- C. NEVER HAVE BEEN CONVICTED OF A FELONY FOR WHICH THEY COULD HAVE BEEN IMPRISONED
- D. CANNOT HAVE BEEN A MEMBER OF ANY SUBVERSIVE ORGANIZATION
- E. MUST BE EXAMINED AND CERTIFIED AS PHYSICALLY FIT BY A PHYSICIAN WITHIN 30 DAYS OF THEIR APPOINTMENT
- F. MUST BE ON PROBATION FOR ONE YEAR

2. TRAINING REQUIREMENTS PROVIDE THAT THEY MUST ATTEND THE BASIC COURSE OF THE MONTANA LAW ENFORCEMENT ACADEMY OF 6 WEEKS DURATION DURING THEIR FIRST YEAR OF EMPLOYMENT. IN ADDITION, THEY HAVE AVAILABLE THE INTERMEDIATE COURSE OF 2 WEEKS; THE ADVANCED COURSE OF 2 WEEKS AND OVER 35 SPECIALIZED COURSES ALL AT THE MLEA INCLUDING, BUT NOT LIMITED TO; FINGERPRINTING, PHOTOGRAPHY, HOMICIDE INVESTIGATION, FIREARMS INSTRUCTOR, CRIME SCENE SEARCH, LAWS OF ARREST, SEARCH AND SEIZURE, BOMB DISPOSAL, NARCOTICS INVESTIGATION, SURVEILLANCE TECHNIQUES, CRIME PREVENTION AND MANY OTHERS. TO PERFORM EFFECTIVELY AND EFFICIENTLY AS ADMINISTRATORS SHERIFFS MUST AND DO INVOLVE THEMSELVES IN TRAINING ON A NATIONAL LEVEL SUCH AS THE FBI NATIONAL ACADEMY, THE NATIONAL SHERIFFS INSTITUTE AND THE NATIONAL INSTITUTE ON CORRECTIONS. THE AVERAGE LAW ENFORCEMENT OFFICER IN MONTANA HAS 385 HOURS OF FORMAL TRAINING EXCLUDING YEARS OF EDUCATION. APPROXIMATELY 21% OF OFFICERS HAVE COLLEGE DEGREES RANGING FROM BUSINESS ADMINISTRATION TO LAW.

AS I STATED AT THE BEGINNING OF MY PRESENTATION SHERIFFS ARE GENERALISTS IN THE PERFORMANCE OF THEIR DUTIES AND WE PERFORM ALL FUNCTIONS REQUIRED OF US AS COMPARED TO PRIVATE INDUSTRY OR GOVERNMENT THAT HAVE SEPARATE JOB CLASSIFICATIONS AND HIRE WELL PAID SPECIALISTS FOR.

THE MONTANA SHERIFFS IN PREPARATION FOR THIS MEETING IN THE HOPES OF PROVIDING THIS COMMISSION WITH ALL POSSIBLE ASSISTANCE, COMPLETED THE RANKING OF THE CRITERIA YOU SPECIFIED IN YOUR QUESTIONNAIRE AND THE RESULTANT GENERAL CONSENSUS IS AS FOLLOWS:

<u>PRIMARY TOTAL</u>	<u>SECONDARY TOTAL</u>	<u>TITLE</u>
1ST	2ND	WORKLOAD-VOLUME OF DUTIES
1ST	3RD	DIRECT WORK RESPONSIBILITIES
(TIED) 1ST, 11TH	6TH	ADMINISTRATIVE RESPONSIBILITIES
2ND	13TH	SIZE OF POPULATION SERVED
3RD	5TH	POLICY MAKING RESPONSIBILITIES
(TIED) 3RD, 6TH, 15TH	5TH	YEARS OF RELATED EXPERIENCE
5TH	14TH	PERSONAL SAFETY
6TH	13TH	LOCAL COST OF LIVING INDICES
7TH	4TH	TRAINING
8TH	9TH	ON THE JOB TRAINING

(TIED) 8TH, 13TH	7TH	YEARS OF EDUCATION
(TIED) 9TH, 15TH	12TH	INCONVENIENCE TO OFFICE HOLDER
10TH	11TH	YEARS OF ACTUAL SERVICE IN ELECTIVE POSITIONS
12TH	13TH	MERIT
14TH	15TH	FINANCIAL CAPABILITY OF TAX BASE

NO STATE OR PRIVATE POSITIONS WERE FOUND TO BE COMMENSURATE WITH THAT OF THE SHERIFF. THE CLOSEST WE WERE ABLE TO COME UP WITH WERE THOSE OF THE:

- 1) ADMINISTRATOR, LAW ENFORCEMENT DIVISION,
DEPARTMENT OF JUSTICE; SALARY RANGE
\$21,925.00 - \$28,811.00
- 2) ADMINISTRATOR BRANDS ENFORCEMENT DIVISION,
DEPARTMENT OF LIVESTOCK; SALARY RANGE
\$23,964.00 - \$30,841.00
- 3) ADMINISTRATOR, LAW ENFORCEMENT DIVISION,
DEPARTMENT OF FISH, WILDLIFE AND PARKS;
SALARY RANGE \$21,925.00 - \$28,311.00
- 4) THIRD LEVEL MANAGERS AT MOUNTAIN BELL
INCLUDING VARIOUS SPECIALIST CLASSIFICATIONS;
SALARY RANGE \$28,600.00 - \$40,000.00
- 5) CONSTRUCTION SUPERVISORS; SALARY RANGE
\$24,000.00 - \$36,000.00
- 6) CONSTRUCTION FOREMAN; SALARY RANGE \$25,488.00

7) JOURNEYMEN ELECTRICIANS; SALARY RANGE \$26,964.00

CLASS SPECIFICATION SHEETS ARE ATTACHED FOR THESE POSITIONS. NONE OF THESE POSITIONS, HOWEVER, HAVE THE NUMEROUS AND DIVERSIFIED DUTIES AS DOES THE SHERIFF'S POSITION. NOR DO THEY CARRY THE AMOUNTS OF LIABILITY FOR THEIR ACTIONS THAT THE SHERIFFS CARRY. ALL OF THE FUNCTIONS I HAVE DESCRIBED WE ARE CIVILLY AND SOMETIMES CRIMINALLY LIABLE FOR. THE NEXT SPEAKER, SHERIFF DICK SHAFFER FROM YELLOWSTONE COUNTY, WILL ADDRESS THAT ISSUE.



BOARD OF CRIME CONTROL

303 NORTH ROBERTS
~~303 NORTH ROBERTS~~
SCOTT HART BUILDING
HELENA, MONTANA 59601

TELEPHONE NO. 449-3604

February 11, 1980

IN REPLY REFER TO:

MEMORANDUM

TO: Chuck O'Reilly, Sheriff
Lewis & Clark County

FROM: Larry Petersen, Chief *LP*
Research & Planning Bureau
Board of Crime Control

SUBJECT: NUMBER OF SHERIFF'S OFFICERS ASSAULTED DURING
CALENDAR YEAR 1979

Data are supplied only for those Montana Sheriff's agencies that reported assaults as occurring during January through December of 1979 under the UCR program:

Officers Killed -- Felonious Assault 0
Accident or Negligence 0

ASSAULT DATA

TYPE OF WEAPON

TYPE OF ACTIVITY	TOTAL	FIREARM	KNIFE	OTHER WEAPON	HANDS, FISTS, FEET
1. Disturbance Calls	14	8		2	4
2. Burglaries In Progress					
3. Robberies in Progress					
4. Attempts	4	1			3
5. Civil Disorder	5				5
6. Handling Prisoners	3		1		2
7. Suspicious Persons					
8. Ambush	1			1	
9. Mentally Deranged					
10. Traffic	2	1			1
11. Other	1				1
12. TOTAL	30	10	1	3	16
13. With Personal Injury	10	1		3	6
14. Without Personal Injury	20	9	1		10

I hope this information will be of value. Should you need more assistance, please feel free to contact me.



STATE OF MONTANA
DEPARTMENT OF ADMINISTRATION
PERSONNEL DIVISION

CLASS SPECIFICATIONS

CLASS CODE 379013
GRADE 18
LAST UPDATED 7-1-74

OCCUPATIONAL
GROUP

Protective Services

(#21,925 - \$28,811)

MONTANA CLASSIFICATION TITLE

Administrator, Law Enforcement Division (Fish, Wildlife, Parks)

DESCRIPTION OF WORK

GENERAL DUTIES: Performs complex administrative and supervisory duties in planning, coordinating and directing the activities of the Law Enforcement Division of the Department of Fish and Game.

SUPERVISION RECEIVED: Works under broad policy guidance and direction of the Department Director.

SUPERVISION EXERCISED: Exercises supervision over many professional, technical and clerical personnel.

EXAMPLE OF DUTIES

Plans comprehensive programs; initiates state-wide programs of special investigation; directs and evaluates law enforcement programs; hires, assigns and evaluates duties of all personnel; directs the formulation and interpretation of division policy; reviews all regulations and other details for seasons and limits, and prepares recommended regulations for the commission; publicizes regulations through news media; prepares and administers budgets for division; keeps records and prepares various reports; coordinates issuing of equipment and supplies to field personnel; oversees department radio system; performs related duties as required.

MINIMUM QUALIFICATIONS

KNOWLEDGES: Extensive knowledge of department organization; policies and operations; thorough knowledge of Fish and Game Laws, both state and federal; game laws, principals and practices; personnel management and standard administrative practices and procedures.

SKILLS: None

ABILITIES: Ability to establish and maintain effective working relationships with employees, other agencies and the public; to direct and coordinate the activities of a large staff; to speak and write effectively.

EDUCATION: Graduation from a college or university with a Bachelor's degree in Wildlife Management or related field.

EXPERIENCE: Six years of progressively responsible experience as a warden and warden supervisor,

OR

Any equivalent combination of education and experience.

BEST COPY
AVAILABLE

USER
AGENCIES

5201

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As Noted Below

All Except Those Noted Below



STATE OF MONTANA
DEPARTMENT OF ADMINISTRATION
PERSONNEL DIVISION

CLASS
SPECIFICATIONS

CLASS CODE	413019
GRADE	19
LAST UPDATED	7-1-74

OCCUPATIONAL GROUP	Livestock Farming Occupations
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MONTANA CLASSIFICATION TITLE	Administrator Brands Enforcement Division
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Salary \$23,964 - \$30,841

DESCRIPTION OF WORK

GENERAL DUTIES: Perform administrative and supervisory work in enforcing and administering laws, regulations and policies affecting the Brands Enforcement Division of the Department of Livestock,
SUPERVISION RECEIVED: Works under broad policy guidance and direction of an administrative superior.
SUPERVISION EXERCISED: Exercises supervision over division personnel directly or through subordinate supervisors.

EXAMPLE OF DUTIES

Responsible for development, implementation, interpretation, evaluation and administering laws, regulations and programs affecting the division for the department; develops, plans and implements procedures and training programs; carries out departmental policies and goals; supervises and evaluates personnel; assists in preparation of legislation affecting the division; analyzes budget expenditures and needs; coordinates the division's function with other agencies and private groups; establishes functional priorities and goals; may serve on committees or boards; performs related work as required.

MINIMUM QUALIFICATIONS

KNOWLEDGES: Thorough knowledge of the laws and regulation affecting the Brands Enforcement Division, livestock raising and sale; brands. Considerable knowledge of practice and procedures of management; departmental functions.
SKILLS: None.
ABILITIES: Ability to communicate effectively verbally and in writing; supervise effectively; establish and maintain effective working relationships with employees, other agencies and the public.
EDUCATION: Graduation from a college or university with a Bachelor's degree in Animal Sciences, Business Administration, Law Enforcement or related field.
EXPERIENCE: Four years of progressively responsible supervisory and administrative experience in the livestock industry,

OR

any equivalent combination of education and experience.

USER AGENCIES	5603	All	*	As Noted Below	All Except Those Noted Below
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NOTE: Duties described above are not necessarily all inclusive for this class.



STATE OF MONTANA
DEPARTMENT OF ADMINISTRATION
PERSONNEL DIVISION

CLASS SPECIFICATIONS

CLASS CODE 379013
GRADE 18
LAST UPDATED 7-1-74

OCCUPATIONAL
GROUP

Protective Services

Salary \$21,925 - \$28,811

MONTANA CLASSIFICATION TITLE

Administrator, Law Enforcement Division

DESCRIPTION OF WORK

GENERAL DUTIES: Performs complex administrative and supervisory duties in planning, coordinating and directing the activities of the Law Enforcement Division of the Department of Fish and Game.

SUPERVISION RECEIVED: Works under broad policy guidance and direction of the Department Director.

SUPERVISION EXERCISED: Exercises supervision over many professional, technical and clerical personnel.

EXAMPLE OF DUTIES

Plans comprehensive programs; initiates state-wide programs of special investigation; directs and evaluates law enforcement programs; hires, assigns and evaluates duties of all personnel; directs the formulation and interpretation of division policy; reviews all regulations and other details for seasons and limits, and prepares recommended regulations for the commission; publicizes regulations through news media; prepares and administers budgets for division; keeps records and prepares various reports; coordinates issuing of equipment and supplies to field personnel; oversees department radio system; performs related duties as required.

MINIMUM QUALIFICATIONS

KNOWLEDGES: Extensive knowledge of department organization; policies and operations; thorough knowledge of Fish and Game Laws, both state and federal; game laws, principals and practices; personnel management and standard administrative practices and procedures.

SKILLS: None

ABILITIES: Ability to establish and maintain effective working relationships with employees, other agencies and the public; to direct and coordinate the activities of a large staff; to speak and write effectively.

EDUCATION: Graduation from a college or university with a Bachelor's degree in Wildlife Management or related field.

EXPERIENCE: Six years of progressively responsible experience as a warden and warden supervisor,

OR

Any equivalent combination of education and experience.

USER AGENCIES		All	*	As Noted Below	All Except Those Noted Below
	5201				

NOTE: Duties described above are not necessarily all inclusive for this class.

Title: State Traffic Supervisor
Level/Band: 3A or 3B
Department: Traffic or Customer Services or Network

Overview:

Provides staff assistance, coordination, administration and field support in various areas of Traffic operations on a statewide basis.

Supervision:

Normally reports to a fourth level supervisor. Supporting staff ranges from 5 to 15 first and second level employees, plus clerical people.

Specific Responsibilities & Activities:

Some representative samples of the types of work and associated responsibilities are:

Provides assistance to district managers throughout the state in policy administration, problem solving, implementation of new programs, budget administration, etc.

Provides any required interdistrict and interdepartmental coordination on implementing new procedures, large conversion projects, long range planning, etc.

Provides interface with Corporate Headquarters on traffic methods, procedures, training or Company policy. Responsible for the development or adaptation of state methods and procedures.

Directs functions statewide such as: operating budgets, forecasting of load and force requirements, service observing activity, training, etc.

Analyzes operating results to identify areas that are below departmental standards and assists district managers in improving results.

Diversity:

May be responsible for several areas or specialize in a particular area such as: Operator Services, Network Administration, Business Services Functions, etc.

Hours/Environment:

Works normal business hours. Overtime as required. Subject to travel throughout the state.

Useful Backgrounds:

Line and lower level staff experience in one or more of the areas of specialization or in related traffic operations.

Title: State Plant Supervisor
Level/Band: 3A or 3B
Department: Plant or Customer Services

Overview:

Provides staff assistance, coordination, administration and field support in various areas of Plant operations on a state-wide basis.

Supervision:

Normally supervises a supporting staff of 5 to 15 first and second level management employees plus technical and clerical non-management people. Normally reports to a department head.

Specific Responsibilities & Activities:

Some representative samples of the types of work and associated responsibilities are:

Provides assistance to district managers throughout the state in policy administration, problem solving, implementation of new programs, budget administration, etc.

Provides any required interdistrict and interdepartmental coordination on implementing new procedures, large conversion projects, long range planning, etc.; or on day-to-day operations.

Directs any statewide work operations such as: purchase of motor vehicles, supplies distribution, ordering of cable, SSMB operation (special services maintenance bureau), etc.

Collects and analyzes operating results in service, quality, productivity and cost efficiency to identify any areas that are below departmental standards and assist district managers in improving results.

Provides technical expertise and assistance on special problems, new types of equipment or test gear, new operating procedures, inter-district problems, etc.

Provides administrative staff assistance to the department head in such areas as budget administration, personnel matters, interdepartmental coordination, etc.

Acts as the interface between corporate staff and state staff operations in the areas of policy administration, problem solving, budget administration, etc.

Diversity:

Normally specializes in a group of related areas such as: central office and toll operations; buildings, supplies and motor vehicles; installation and maintenance operating results; etc.

Hours/Environment:

Works normal business hours. Subject to travel throughout the state.

Useful Backgrounds:

Experience in one or more of the areas of specialization or in related plant operations.

Title: State Marketing Supervisor
Level/Band: 3A or 3B
Department: Marketing or Customer Services

Overview:

Responsible for the administration and direction of all staff functions for a state organization.

Specific Responsibilities & Activities:

Performs and/or directs staff activities in support of sales and servicing line organizations. Work involves most of the following:

- Provide staff support, technical assistance and expertise to line organizations.
- Provide interface between state operations and Corporate Headquarters.
- Conduct "Operations Reviews" to determine strengths and weaknesses in organizations. Develops programs to improve weak areas.
- Results analysis and the formulation and implementation of appropriate action to correct problem areas.

Evaluates changes in the market place and adjust efforts and programs to effectively meet competition, provide a high quality of communication services to business customers, and increase business revenues.

Implementation of methods, procedures, and policy on all matters pertaining to the Marketing job.

Budget preparation and administration statewide.

Supervision:

Normally reports to a fifth level supervisor. Subordinate organization ranges from 5 to 25 first and second level employees.

Diversity:

Normally functions as a liaison and coordinator on all departmental matters. Work involves the ability to carry out problem solving and projects to a successful conclusion concerning all areas of the Marketing job.

Hours/Environment:

Regular business hours, Monday through Friday. Overtime as required. May require occasional travel throughout the state.

Useful Backgrounds:

Line and staff experience in sales and servicing functions. Sales Manager, Marketing Service Manager, District Manager.

Title: Rate and Tariff Supervisor
Level/Band: 3A or 3B
Department: Finance or Financial Planning

Overview:

Directs the planning and development of rates and rate structures for pricing our services commensurate with costs, market considerations, present and future product line, legal and regulatory considerations. Directs the writing of associated tariffs and the filing of those tariffs with state regulatory agencies for the purpose of implementing or changing rates.

Specific Responsibilities & Activities:

Directs the planning and associated study efforts for developing pricing concepts, objectives, structures and rate levels for new products and services as well as re-pricing all of our existing services. Provides the required interdepartmental, interstate and inter-company coordination and higher management contact.

Directs the writing and filing of associated tariffs and provides the required contact with state regulatory agencies which may include planning and coordinating quite comprehensive rate case applications and associated testimony for public hearings or providing day-to-day contact with commissions for the administration and maintenance of all existing tariffs. May include testifying at public hearings.

Provides all associated services such as rate development for special assemblies for "one of a kind" application, negotiating construction agreements on speculative land developments, special studies on specific proposals or local problems, providing tariff interpretations and clarifications to customer contact people, etc.

Supervision:

Normally supervises 2 to 6 management employees and supporting non-management people. In Corporate headquarters, this position would report to a fourth level manager who has similar company-wide responsibilities of a larger and broader scope. Reports to a department head in State offices.

Diversity:

In Corporate headquarters this position would specialize in such areas as competitive terminal equipment, exchange service, private line services, rate case coordination, etc. There is normally one position in each State that would be responsible for all functions.

Hours/Environment:

Works normal business hours.

Useful Backgrounds:

Experience in lower level positions in rate & tariff or related fields in Commercial or Marketing. Formal training in economics, mathematics or other related areas would be helpful.

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Title: Commercial Operations Supervisor
Level/Band: 3A or 3B
Department: Commercial Operations (Corporate Headquarters)

Overview:

Provides staff direction, coordination, administration and field support in various areas of operations on a company-wide basis.

Supervision:

Subordinate organization ranges from 5 to 50 employees consisting of first and second level supervisors and non-management employees.

Specific Responsibilities & Activities:

Some representative samples of the type of work and associated responsibilities are:

Provides guidance and assistance to field managers throughout the company in policy administration, problem solving, implementation of new programs, mechanization efforts, budget administration, etc.

Analyzes operating results in quality, productivity and cost efficiency to identify weak spots and develops improvement programs for recommending to higher management and field managers.

Acts as interface between field operations and higher management, other corporate departments, AT&T, other companies, etc.

Develops new or revised operating methods and procedures for introduction to field operations or adopts new AT&T methods to Mountain Bell operations prior to implementation through our field managers.

Conducts operations reviews in specific areas to ensure that departmental policies and procedures are being properly administered, and that service and efficiency standards are being met. Assists local managers to improve their operation.

Diversity:

Normally specializes in a particular area such as: methods & procedures, training, results, or forecasting. Commercial methods involve a variety of functions such as: business office operations, public offices, cashier/teller functions and order centers.

Hours/Environment:

Works normal business hours.

Useful Backgrounds:

Line and lower level staff experience in Commercial operations.

Title: Commercial Supervisor
Level/Band: 3A or 3B
Department: Commercial or Customer Services

Overview:

Provides staff direction, coordination, administration and field support in various areas of operations on a state-wide basis.

Specific Responsibilities & Activities:

Provides assistance to district managers throughout the state in policy administration, problem solving, implementation of new programs, budget administration, etc.

Analyzes results in quality, productivity, etc., to identify any areas that are below departmental standards and assists district managers in improving results.

Directs functions statewide such as: expense and force budgets, training of management and non-management personnel, adaptation and implementation of methods, training practices, etc.

Provides any required interdistrict and interdepartmental coordination on implementing new procedures, large conversion projects, long range planning, etc.

Provides technical expertise and assistance on special problems, new operating procedures interdistrict, interdepartmental problems, etc.

Provides administrative staff assistance to the department head in such areas as budget administration, personnel matters, interdepartmental coordination, etc.

Supervision:

Normally reports to a fourth or fifth level supervisor. Subordinate organization ranges from 10 to 50 employees consisting of first and second level supervisors and non-management personnel.

Diversity:

May involve staff support for a variety of functions such as: Business Offices, Order Centers, Public Offices, Teller/Cashier functions and Training operations.

Hours/Environment:

Regular business hours, Monday through Friday. Overtime not unusual. Subject to travel throughout the state.

Useful Backgrounds:

Commercial Service Manager, District Manager, lower level staff experience.

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Title: Public Relations Manager
Level/Band: 3A or 3B
Department: Public Relations or External Affairs (State)

Overview:

Responsible for all Public Relations functions for a state or segment of a larger state.

Supervision:

Normally supervises a supporting staff of 3 to 12 management and non-management people. Normally reports to a department head.

Specific Responsibilities & Activities:

Directs the following Public Relations functions:

Writing, editing, publishing, and distributing employee information publication, brochures and bulletins.

Researching, writing, editing and updating telephone recorder messages.

Responding to news media requests for information about Telephone Company operations or local situations and service conditions.

Disseminating news releases initiated by the Company about new service offerings, plans for new buildings & facilities, earnings results, rate case activity, etc.

Providing community relations services to schools, service organizations, churches, civic groups, etc. including coordinating Company contributions to charitable organizations.

Writing speeches and presentations for state officers, executives, Exchange Managers and other public contact people.

Coordinating advertising programs.

Diversity:

In larger states, the responsibilities of this position may be split along geographic lines and/or functional responsibilities.

Hours/Environment:

Works normal business hours.

Useful Backgrounds:

Experience as a Public Relations Supervisor or in any other Public Relations job in the Telephone Company or outside industry. Formal training in journalism, Public Relations or professional writing.

Title: Public Relations Manager
Level/Band: 3A or 3B
Department: Public Relations (Corporate Headquarters)

Overview:

Provides assistance, guidance and coordination to State PR organizations. Directs the development and administration of various programs, information media, news releases, etc. in various Public Relations fields (employee information, CCTV, news media contact, advertising, community relations) for company-wide dissemination.

Specific Responsibilities & Activities:

Some representative samples of the responsibilities are:

Directs the planning, development and company-wide implementation of various programs designed to improve understanding of corporate goals and objectives by employees, customers, and shareowners. Insures that all media is consistent with corporate and departmental policies.

Directs the preparation of various media (press releases, employee publications, CCTV programs, financial reports, etc.) that are of a company-wide nature. Provides guidance and assistance to State PR Managers and their staffs on preparing similar media that is locally oriented (rate case applications, new service offerings, etc.)

Directs the development and administration of advertising programs. Acts as interface with advertising agencies, AT&T, the media, other departments, etc. for the day-to-day administration of advertising programs.

Directs the planning, development and implementation of community relations programs throughout the company in such areas as consumer, environmental and urban affairs.

Provides administrative staff assistance to higher management in such areas as long range planning, interdepartmental coordination, personnel matters, research, etc.

Supervision:

Normally supervises a supporting organization of 2 to 6 first and second level management employees plus clerical non-management people. Reports to a corporate AVP.

Diversity:

Normally specializes in one area such as advertising, employee information, news media contact, CCTV, community relations, etc.

Hours/Environment:

Works normal business hours.

Useful Backgrounds:

Experience as a Public Relations Supervisor or in any other Public Relations job in the Telephone Company or outside industry. Formal training in journalism, Public Relations or professional writing.

Title: Plant Operations Supervisor
Level/Band: 3A or 3B
Department: Plant Operations (Corporate Headquarters)

Overview:

Provides staff direction, coordination, administration and field support in various areas of operations on a company-wide basis.

Specific Responsibilities & Activities:

Some representative samples of the type of work and associated responsibilities are:

Provides guidance and assistance to field managers throughout the Company in policy administration, problem solving, implementation of new programs, mechanization efforts, budget administration, etc.

Analyzes operating results in service, quality, productivity and cost efficiency to identify weak spots and develops improvement programs for recommending to higher management and field managers.

Acts as interface between field operations and higher management, other corporate departments, AT&T, other companies, etc.

Develops new or revised operating methods and procedures for introduction to field operations or adopts new AT&T methods to Mountain Bell operations prior to implementation through our field managers.

Conducts operations reviews in specific areas to insure that departmental policies and procedures are being properly administered, and that service and efficiency standards are being met. Assists local managers to improve their operation.

Supervision:

May direct a supporting staff of 2 to 10 management employees plus technical and clerical non-management people. Reports to a fourth level manager who has similar responsibilities of a larger and broader scope.

Diversity:

Normally specializes in a particular area such as: installation results, maintenance results, central office switching, toll operations, station equipment, test centers, B.S.&M.V. (Buildings, Supplies & Motor Vehicles), interdepartmental safety programs, outside plant facilities, etc.

Hours/Environment:

Work normal business hours. Subject to travel throughout the company.

Useful Backgrounds:

Experience in the particular area of specialization or a closely related field of Plant operations.

Overview:

Responsible for the provision and administration of various personnel services for a state organization or for providing various staff direction and coordination in a particular personnel field on a company-wide basis from the corporate headquarters.

Specific Responsibilities & Activities:

Areas of involvement may include one or more of the following functions: wage and salary administration, employment, transfer coordination, employee plans and benefits administration, human resources development, EEO and AAP coordination, industrial relations (union negotiations), employee activities (Pioneers, employee awards, cultural and social activities), personnel review center, management job evaluation, manpower utilization, etc.

Supervision:

Normally directs a staff of 5 to 15 first and second level management people plus supporting and clerical non-management people.

Diversity:

In smaller states this position would be responsible for all personnel matters. In larger states and in corporate headquarters, the position would specialize in a narrower area of involvement.

Hours/Environment:

Works normal business hours.

Useful Backgrounds:

Overview:

Provides staff direction, coordination, administration and field support in various areas of operations on a company-wide basis.

Supervision:

Reports to a fourth or fifth level manager. May direct a supporting staff of 2 to 29 management employees plus clerical people.

Specific Responsibilities & Activities:

Some representative samples of the type of work and associated responsibilities are:

Provides guidance and assistance to field managers throughout the company in policy administration, problem solving, implementation of new programs, mechanization efforts, budget administration, etc.

Analyzes operating results in quality, productivity and cost efficiency to identify weak spots and develops improvement programs for recommending to higher management and field managers.

Acts as interface between field operations and higher management, other corporate departments, AT&T, other companies, etc.

Develops new or revised operating methods and procedures for introduction to field operations or adopts new AT&T methods to Mountain Bell operations prior to implementation through our field managers.

Conducts operations reviews in specific areas to ensure that departmental policies and procedures are being properly administered, and that service and efficiency standards are being met. Assists local managers to improve their operation.

Diversity:

Normally specializes in a particular area such as: operator services, network administration, business services functions or mechanization projects.

Hours/Environment:

Regular business hours Overtime as required. Subject to travel throughout the company.

Useful Backgrounds:

Line and staff experience in the particular area of specialization.

Title: Data Systems Supervisor
Level/Band: 3A or 3B
Department: Data Systems

Overview:

Directs the development and maintenance of data systems and associated computer programs for use by Accounting in various electronic data processing and record keeping applications or by Data Systems which performs various data processing operations for all other departments.

Specific Responsibilities & Activities:

Supervises Analysts and Programmers responsible for the definition, design and maintenance of data processing systems and associated programs normally oriented toward one particular facet of our business such as: service order processing, billing of customer accounts, processing toll billing, maintaining inventory & cost records, maintaining directory compilation & delivery data, etc.

The systems normally entail 100 + computer programs, and may involve the development and implementation of an all new mechanization program, major additions to existing systems and/or day-to-day maintenance and updating of current programs to coincide with new rate structures, new departmental operating procedures, changes in associated systems, etc.

Responsibilities of this position would include forecasting and allocation of resources and manpower, establishing schedules and priorities and ensuring that they are met, approval of all projects undertaken by the group, and approval of product output.

Supervision:

Normally supervises 7 to 12 second level supervisors directly and 10 to 20 lower level management and non-management people through subordinate supervisors. Reports to a Division Manager.

Diversity:

Title would also apply to positions who provide various supporting and staff services such as planning, developing, and purchasing of software or hardware systems.

Hours/Environment:

Works normal business hours.

Useful Backgrounds:

Training or experience in analysis, programming or computer technology.

Exhibit C

DUTIES AND RESPONSIBILITIES OF THE COUNTY SUPERINTENDENT OF SCHOOLS

PART I

STATUTORY DUTIES

A. ADMINISTRATIVE:

As the county government official and school officer of the county, conduct general supervision of public schools in the county: 20-1-101 (6); 20-3-205 (1-23).

Carry out duties as prescribed by legislature, board of education, and state superintendent of public instruction: 20-3-205 (23).

Assist trustees with school supervision and evaluation. Visit, advise, consult with teachers: 20-3-207 (-4).

Hold meetings with trustees for the good of the districts: 20-3-205 (27).

Administer oath of office to trustees: 20-3-205 (2); 20-3-205 (24); 20-3-307.

Determine trustee nominating districts: 20-3-205 (1); 20-3-352; 20-3-353; 20-3-354.

Make appointments to fill additional trustee positions or vacancies in trustee positions in second and third class districts if not filled within 60 days: 20-3-309; 20-3-205 (3); 20-3-353; 20-3-354.

Conduct controversy appeals and hearings: 20-3-210; 20-4-204 (3); 20-4-207 (2); 20-5-304 (2); 20-5-311 (4).

Recommend library and textbooks to districts having no administrator: 20-3-205 (20); 20-7-204; 20-7-602.

Comply with textbook dealer provisions: 20-3-205 (21); 20-7-605.

Serve as clerk of joint board of trustees: 20-3-206 (4); 20-3-361.

Chairman of county transportation committee: 20-3-206 (1); 20-10-131.

Member of high school boundary commission of the county: 20-3-206 (2); 20-6-304.

Attendance officer: 20-3-206 (3); 20-5-104.

County superintendent of joint district: 20-3-206 (4); 20-9-202 (1); 20-4-202; 20-9-151.

B. RECORD KEEPING:

Keep record of official acts; preserve reports, documents, books, instructional equipment or supplies: 20-3-205 (25).

Register teaching certificates: 20-3-205 (4); 20-4-202.

Process bus driver certification, transportation contracts and claims for reimbursement: 20-3-205 (19); 20-10-103 (7); 20-10-143 (3); 20-10-145 (2).

1.6

Classify school districts: 20-3-205 (7); 20-3-201 (3-4); 20-3-301.

Keep transcript of district boundaries: 20-3-205 (8); 20-6-103.

Fulfill responsibilities for organization, alteration, or abandonment of districts: 20-3-205 (9).

Act on any unification proposition: 20-3-205 (10); 20-6-312 (3-5); 20-6-313 (1).

Process school isolation applications: 20-3-205 (12); 20-9-302.

C. FISCAL:

Complete the budgets, compute budgeted revenues and tax levies, give notice of budget meetings, file final and emergency budgets and fulfill responsibilities regulating school budget systems: 20-3-205 (13).

Submit annual financial report to state superintendent of public instruction: 20-3-205 (14); 20-9-211.

Submit annual report to state superintendent of public instruction on final budgets, finances, pupil information for each district, and any other information requested by that office: 20-3-209; 20-4-402 (7); 20-9-134; 20-9-213 (5-6).

Order treasurer to apportion state and county school monies: 20-3-205 (15); 20-9-212 (1-2); 20-9-334; 20-9-347 (2); 20-10-145 (2); 20-10-146.

Calculate estimated budgeted general fund sources of revenue: 20-3-205 (17); 20-9-348 (2).

Compute revenues, and district and county levy requirements for each fund in each district's final budget, and report such computations to county commissioners: 20-3-205 (18).

Publish annual report in county newspaper, stating for each district

- a. total cash balance at beginning of year
- b. total realized in each fund
- c. total expenditures in each fund
- d. total cash balance at end of year: 20-3-205 (26).

File audit reports of districts: 20-3-205 (6); 20-9-203 (2).

Estimate ANB, and act on requests to transfer ANB: 20-3-205 (11 & 16); 20-6-502 (2,3,4); 20-6-503 (3); 20-6-504 (4); 20-6-506 (1).

Act on tuition applications: 20-3-205 (5); 20-5-301; 20-5-302; 20-5-304; 20-5-311; 20-5-312.

Act at district request to allocate federal monies for indigent children for school food services: 20-3-205 (22); 20-10-205.

Establish fund to request, accept, and disburse monies such as special ed co-ops, or any federal funds, with advice and consent of appropriate schoolboards: 20-3-208.

PART II

OTHER DUTIES

(Not Specifically Required by Law)

A. TEACHER SERVICES

Compile directory and handbook for teachers.

Prepare school bulletin--ideas and helps (monthly or periodically).

Distribute available free materials.

Sponsor county and multi-county inservice workshops.

Sponsor workshops during the year.

Coordinate evaluation of textbooks and develop and recommend curriculum.

Display textbooks.

Assist or provide teacher centers.

Recommend teacher applicants for recertification.

Inform teachers as to new laws.

Keep school inventories current.

Maintain audio-visual and professional library.

Certify record of years of teaching for retirement.

Provide and maintain Cumulative Record System.

Provide testing materials, report cards, duplicated teaching materials for teacher use.

B. SCHOOL BOARD SERVICES

Compile a directory and an annual report on county schools.

Assist in hiring teachers and substitutes.

Advise on annexation and reorganization.

Provide information on allocation and assist in planning for use of Federal Funds such as applying for PL 874 monies at direction of individual districts.

Assist in preparation of district budgets.

Represent rural schools on Special Ed Co-op Advisory Boards.

Arrange individual board and county-wide informational meetings for school boards.

Inform boards as to new laws.

Cooperate with State School Boards Association.

Attend school board meetings.

Advise on adoption and revision of school board policy.

Supervise school trustee, special levy, bond, site, consolidation and annexation elections, provide (with clerk and recorder) materials and assistance.

Coordinate county-wide special ed services.

Assist district clerks in performing duties.

Represent Third Class Districts' legislative concerns.

Coordinate First Aid Classes for Bus Driver Certification.

C. STUDENT ACTIVITIES

Administer testing program, state and local, involving standardized achievement and mental ability tests, readiness tests.

Work with parents of retarded and handicapped children and the community to establish and assist in promoting special education program.

Supervise and sponsor: play days, physical fitness day, track meets, elementary basketball tournaments; spelling contests--County and Treasure State Spelling Bee; poster contests.

Judge--essays, speech and drama meets, other contests and community events.

Provide or assist with outdoor education or conservation programs.

Furnish school transcripts.

Serve on scholarship committees.

Provide rural graduation exercises.

Assist and promote any other student-centered activities.

D. SERVICE ACTIVITIES

County School Administrators.

Bookmobile Committee.

Public and County Library Board.

Civic and Charitable Organizations.

Parent-Teacher Association.

County School Civil Defense.

Project Head Start.

Local and State Educational Boards.

County Curriculum Committee.

Testing and screening programs by community groups--Amblyopia, health clinics, etc.

Community education programs.

Health education programs.

E. GENERAL

Mimeograph for community organizations (for a fee) and for other county offices.

Supply certified copies of census records for delayed birth certificates and social security.

Attend state school board, school administrator meetings, state curriculum meetings.

Help provide musical programs for rural schools.

Promote and arrange school exhibits at county and state fairs.

Provide statistical information for various agencies.

Monitor tests for other agencies.

Update school district maps.

Cooperate with all community agencies or organizations to improve educational opportunities.

Provide service and information as education information officer of county.
Refer to other agencies if necessary.

Speak to various groups.

Assist with Fire District elections.

Provide County library exchange.

Assist in coordinating services between high schools and feeder elementary schools.

M
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Exhibit D

Montana Association
of
County Clerks & Recordors



TO: THE HONORABLE MEMBERS OF THE 47TH LEGISLATURE, SENATE COMMITTEE
ON SENATE BILL NO. 50.

FROM: THE MONTANA ASSOCIATION OF COUNTY CLERK AND RECORDERS, LORRAINE P.
MOLITOR, PRESIDENT

RE: ESTABLISHING SALARIES FOR ELECTED COUNTY OFFICIALS

Realizing the need for a just and equitable method of setting salaries of elected county officials, the 46th Legislature appointed a Salary Commission to conduct a study of the situation and to present to the 47th LEGISLATURE a bill that would allow justifiable increases in the salaries of elected county officials. This study has been made. The method of setting salaries in other states has been researched, many meetings and hearings have been conducted. A bill is now in the hands of the honorable legislators. The Montana Association of County Clerk and Recordors supports this bill with one amendment. Following are the reasons:

1. An increase in salaries of elected officials is justifiable. Salaries of county officials are not in line with those of other Montanans in similar positions. For instance school teachers and librarians in our public schools are making more money in less than 10 months than elected officials are making in 12. Plus they have a retirement system that is far superior to ours. City officials are receiving higher wages in the larger counties. County road crews are being paid more than county officials. All of these salaries are being paid by the taxpayers. Unskilled laborers in almost any line of work are making several times the earnings of county officials. This situation will certainly result in a deterioration in the calibre of people who seek county office and in the services they provide. This bill is a solution to this problem.
2. At their 21st annual convention held in August of 1980, the M.A.C.R. membership unanimously approved a 30% factor. This would give counties the authority to set salaries as warranted in their particular county. Each county is an entity unique unto itself.
3. Auditors from the seven counties having auditors were contacted by our representative on the Compensation Board since they do not have an association. They support the concept of the introduced bill with the 30% factor.
4. The fallacy has long existed that the offices of all county officials were merely managerial and that officials were not required to actually be on duty. This is certainly not the case with clerks and recorders. The influx of documents due to increased activity in subdividing, mining, oil and gas leasing, the responsibility of handling all elections, the re-recording of water rights and just the complexity of modern government has brought about a situation whereby officials do not get as much time off as their employees. Our jobs are not only full time - it is overtime, with many evenings, weekends and holidays being spent on duty. We are 24 hour-a-day, 365 day-a-year officials and we believe that we are entitled to a decent, livable wage.

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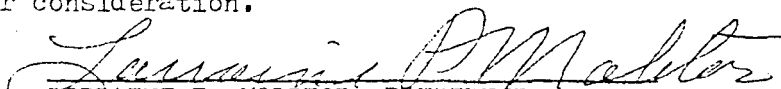
Montana Association
of
County Clerks & Recordors



PAGE 2

5. The concept of the bill submitted by the Compensation Board and introduced by the Honorable George McCallum is good. We believe that full consideration should be given the 30% factor to be administered on the county level. It is hoped that you will find this proposal worthy of your support and will recommend passage to the other members of the 47th legislature. If this bill becomes law, the legislators will not be faced with a salary bill at each successive session of the legislature.

Thank you for your time and your consideration.


LORRAINE F. MOLITOR, PRESIDENT
MONTANA ASSOCIATION OF CLERK AND RECORDERS

January 17, 1981

Master Chairman and members of the Committee,

I am Sarah Rowe, Clerk of District Court of Sanders County, in Conrad. I am Past President and present member of the Executive Board of Montana Association of Clerks of Court. I am also Vice-President of Montana Elected ^{County} Officials Association.

I speak in favor of S.B. 50.

This salary bill is of the utmost importance to all elected County officials in the state.

There is great stress on Local Government and keeping our people involved in Government.

Counties are Local Government. There is a concerted effort over the United States to abolish elected officials and replace with appointed County officials. This is one of the first steps toward removing our Government from the man on the street and depriving him of the privilege of choosing his or her officials.

As a result of our 1972 Constitution the workload in all offices has increased, possibly three-fold.

I speak now of the Clerks of District Court. The New Uniform Probate Code - the new Criminal Code - the Civil and Juvenile Codes have created many problems with no answers. Consequently, this creates additional work for our Supreme Court and also our Legislature.

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Now we are informed that the Water Rights Bill and the Unlocatable Oil Mineral and Royalty owner Bill will be very involved and will add to the Clerk's workload, the office space required and our responsibility.

In Counties the size of Pondera, and there are many in the state, with only 2 people in the office, it is necessary for us to be cognizant of all applicable statutes and be able to perform every phase of our office procedure.

Our salaries have increased over the year but have not kept abreast of the increase in our workload. I used to think if I ever had a position at a \$10,000 salary, I would leave extravagantly. Now \$13,000 is considered low income.

The Clerk of District Court hope to generate some help with the additional budget requirements of this salary bill.

We are introducing S.B.-121, which is to increase our office filing fees.

For a number of years, 60% of our fees have been deposited with the State Treasurer, 20% of which goes to the Judge's Retirement Fund and the balance to the State General Fund. Each County receives the 40% balance.

We are asking the Legislature to reverse the breakdown with 40% deposited with the

State Treasurer and as to the County it partially
fund the District Court Fund which was
Created by the 1979 Legislation.

At the present time there is only a small levy
designated for the District Court Fund.

I have worked up a hand-out sheet for your
consideration. The first Column shows the Current
Base salary for each County, the next Column
gives a 7% increase on the Current Base salary
and the balance shows the salaries, based
on the 1980 population that SB-50 would generate.

Mr. Chairman, may I leave these with your
Committee.

I hope I have been able to show you how
important SB-50 is to all County officials.

Thank you for allowing me this time to
address you.

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Current Base			Current Base + 7%			State Publishing Co. Helena, Montana			1980 Population			Attorneys 45000/22,500			Sheriff 19,000 + Pop			Superintendent 14,500 + Pop			Office 14,000 + Pop				
CLASS		Salary		+ 7%																					
Beaverhead	4	1320.5		1412.9		Beaverhead		8200		22500		20640		16140		15640		15640		15640		15640			
Big Horn	1	1531.3		1638.5		Big Horn		11100		22500		21220		16720		16220		16220		16220		16220			
Blaine	3	1323.4		1416.8		Blaine		7000		22500		20400		15900		15400		15400		15400		15400			
Broadwater	6	1158.9		1240.0		Broadwater		3300		22500		19660		15160		14660		14660		14660		14660			
Carbon	3	1333.9		1427.2		Carbon		8100		45000		20620		16120		15620		15620		15620		15620			
Carter	6	1142.7		1223.7		Carter		1800		22500		19360		14860		14360		14360		14360		14360			
Cascade	1	1944.0		2080.1		Cascade		80600		45000		32590		28090		27590		27590		27590		27590			
Chouteau	3	1310.3		1402.0		Chouteau		6100		22500		20220		15720		15220		15220		15220		15220			
Custer	4	1372.8		1468.9		Custer		13100		22500		21620		17120		16620		16620		16620		16620			
Daniels	6	1169.6		1251.5		Daniels		2800		22500		19560		15060		14560		14560		14560		14560			
Dawson	3	1371.3		1467.3		Dawson		11900		22500		21380		16880		16380		16380		16380		16380			
Deer Lodge	1	1372.8		1468.9		Deer Lodge		12500		45000		21500		17000		16500		16500		16500		16500			
Fallon	2	1356.3		1451.2		Fallon		3800		22500		19760		15260		14760		14760		14760		14760			
Fergus	3	1398.2		1494.1		Fergus		13100		22500		21620		17120		16620		16620		16620		16620			
Flathead	1	1680.9		1798.6		Flathead		51500		45000		28225		23725		23225		23225		23225		23225			
Gallatin	1	1609.1		1721.7		Gallatin		42800		45000		26920		22420		21920		21920		21920		21920			
Garfield	6	1132.1		1211.3		Garfield		1600		22500		19320		14820		14320		14320		14320		14320			
Glacier	2	1429.7		1529.8		Glacier		9700		22500		20940		16440		15940		15940		15940		15940			
Golden Valley	7	1067.9		1142.5		Golden Valley		1000		22500		19200		14700		14200		14200		14200		14200			
Granite	6	1094.8		1171.4		Granite		2700		22500		19540		15040		14540		14540		14540		14540			
Hill	6	1462.5		1571.2		Hill		17900		22500		22580		18080		17580		17580		17580		17580			
Jefferson	5	1260.7		1348.9		Jefferson		7000		22500		20400		15900		15400		15400		15400		15400			
Judith Basin	6	1157.5		1238.5		Judith Basin		2600		22500		19520		15020		14520		14520		14520		14520			
Lake	3	1423.6		1523.3		Lake		19100		22500		22820		18320		17820		17820		17820		17820			
Lewis and Clark	1	1609.0		1721.6		Lewis and Clark		43100		45000		26965		22465		21965		21965		21965		21965			
Liberty	5	1168.0		1249.8		Liberty		2300		22500		19460		14960		14460		14460		14460		14460			
Lincoln	3	1399.2		1496.1		Lincoln		17700		22500		22540		18040		17540		17540		17540		17540			
Madison	4	1245.6		1332.8		Madison		2700		22500		19540		15040		14540		14540		14540		14540			
McCone	5	1168.0		1249.8		McCone		5400		22500		20080		15580		15080		15080		15080		15080			
Meagher	6	1094.8		1171.4		Meagher		2100		22500		19420		14920		14420		14420		14420		14420			
Mineral	6	1106.7		1184.2		Mineral		3700		22500		19740		15240		14740		14740		14740		14740			
Missoula	1	1869.2		2000.0		Missoula		75400		45000		31810		27310		26810		26810		26810		26810			
Musselshell	5	1245.6		1332.8		Musselshell		4400		22500		19880		15380		14880		14880		14880		14880			
Park	5	1345.7		1439.9		Park		13000		45000		21600		17100		16600		16600		16600		16600			
Petroleum	7	—		—		Petroleum		700		22500		19140		14640		14140		14140		14140		14140			
Phillips	4	1232.3		1318.6		Phillips		5400		22500		20080		15580		15080		15080		15080		15080			
Pondera	4	1323.4		1416.8		Pondera		6700		22500		20340		15840		15340		15340		15340		15340			
Powder River	1	1526.9		1638.8		Powder River		2500		22500		19500		15000		14500		14500		14500		14500			
Powell	5	1271.1		1360.1		Powell		6900		22500		20380		15880		15380		15380		15380		15380			
Prairie	6	1094.8		1171.4		Prairie		1800		22500		19360		14860		14360		14360		14360		14360			
Ravalli	3	1410.3		1509.0		Ravalli		22400		45000		23480		18980		18480		18480		18480		18480			
Richland	2	1429.6		1529.7		Richland		12200		22500		21440		16940		16440		16440		16440		16440			
Roosevelt	3	1384.7		1481.6		Roosevelt		10400		22500		21080		16580		16080		16080		16080		16080			
Rosebud	1	1709.3		1823.9		Rosebud		10000		22500		21000		16500		16000		16000		16000		16000			
Sanders	4	1320.5		1412.9		Sanders		8600		45000		20720		16220		15720		15720		15720		15720			
Sheridan	3	1271.2		1360.2		Sheridan		5400		22500		20080		15580		15080		15080		15080		15080			
Silver Bow	1	1626.9		1740.8		Silver Bow		37900		45000		26185		21685		21185		21185		21185		21185			
Stillwater	5	1232.3		1318.6		Stillwater		5600		22500		20120		15620		15120		15120		15120		15120			
Sweet Grass	6	1158.9		1240.0		Sweet Grass		3200		22500		19640		15140		14640		14640		14640		14640			
Teton	4	1271.4		1360.4		Teton		6500		22500		20300		15800		15300		15300		15300		15300			
Toole	3	1296.5		1387.3		Toole		5600		22500		20120		15620		15120		15120		15120		15120			
Treasure	7	1068.1		1142.9		Treasure		1000		22500		19200		14700		14200		14200		14200		14200			
Valley	4	1384.8		1481.7		Valley		12200		22500		21010		16510		16010		16010		16010		16010			
Wheatland	6	1094.8		1171.4		Wheatland		2400		22500		19480		14980		14480		14480		14480		14480			
Wibaux	6	1157.5		1238.5		Wibaux		1500		22500		19300		14800		14300		14300		14300		14300			
Yellowstone	1	2168.1		2319.4		Yellowstone		107700		45000		36655		32155		31655		31655		31655		31655			
741149					793029	Additive - Pop. Base					115290					145250					145290				
											1041000					812000					214000				

Cascade County

State of Montana

TELEPHONE: (406) 761-6700



Great Falls, Montana 59401

JANUARY 14, 1981

THE ELECTED OFFICIALS OF CASCADE COUNTY MET
ON JANUARY 14, 1981, AND VOTED TO SUPPORT
SENATE BILL 50.

C.L. Buck O'Connell

C.L. BUCK O'CONNELL, TREASURER

J.L. Lennon

J.L. LENNON, CLERK AND RECORDER

Florence Mc Giboney

FLORENCE MC GIBONEY, CLERK OF COURT

Diane Erickson Green

DIANE ERICKSON GREEN, AUDITOR

J. Fred Bourdeau

J. FRED BOURDEAU, ATTORNEY

Gladys Vance

GLADYS VANCE, JUSTICE OF THE PEACE

Patrick B. Paul

PATRICK B. PAUL, JUSTICE OF THE PEACE

Glenn Osborne

GLENN OSBORNE, SHERIFF

Bob Batista

BOB BATISTA, SURVEYOR

Helen Loney

HELEN LONEY, Supt. of School

Richard Gasvoda

RICHARD GASVODA, COMMISSIONER

Franklin Steyaert

FRANKLIN STEYAERT, COMM.

Jack T. Whitaker

JACK WHITAKER, COMMISSIONER

Charles Nebel

CHARLES NEBEL, ASSESSOR



1980-81 Taxable Valuation

<u>County</u>	<u>Value</u>	<u>Class</u>
Anaconda-Deer Lodge	\$ 17,138,445	4
Beaverhead	17,947,567	4
Big Horn	109,381,054	1
Blaine	35,765,867	2
Broadwater	7,488,789	6
Butte-Silver Bow	54,502,048	1
Carbon	23,617,810	3
Carter	8,711,581	6
Cascade	92,928,873	1
Chouteau	29,524,401	3
Custer	21,064,007	3
Daniels	8,777,469	6
Dawson	24,233,218	3
Fallon	46,398,634	2
Fergus	25,004,305	3
Flathead	80,271,331	1
Gallatin	59,346,367	1
Garfield	7,599,651	6
Glacier	41,904,427	2
Golden Valley	4,645,185	7
Granite	6,138,332	6
Hill	43,078,558	2
Jefferson	10,225,526	5
Judith Basin	10,702,641	5
Lake	28,281,506	3
Lewis and Clark	58,963,631	1
Liberty	16,049,950	4
Lincoln	29,393,095	3
Madison	18,029,016	4
McCone	11,668,243	5
Meagher	6,281,965	6
Mineral	4,886,599	7
Missoula	129,649,592	1
Musselshell	19,876,085	4
Park	19,126,913	4
Petroleum	3,867,680	7
Phillips	25,135,209	3
Pondera	21,852,693	3
Powder River	50,773,128	1
Powell	12,685,489	5
Prairie	5,104,020	6
Ravalli	25,249,251	3
Richland	74,550,076	1
Roosevelt	26,107,173	3
Rosebud	103,277,612	1
Sanders	19,488,467	4
Sheridan	37,206,728	2
Stillwater	14,158,199	5
Sweet Grass	6,709,294	6
Teton	18,561,030	4
Toole	34,611,417	2
Treasure	4,158,498	7
Valley	22,018,771	3
Wheatland	5,736,105	6
Wibaux	10,805,240	5
Yellowstone	191,762,175	1
	<u>\$1,842,420,936</u>	

Mesa County

BCC-FY81 Salary \$18,699

63 County Employees have higher salaries

- All appointed Assistant Sheriffs who work

- for BCC are higher

- Of the 63 - 30 are in Sheriff's Office
and 26 of these are on the road
crew.

1981 - Mesa County Budget \$19.2 million
dollars

450+ County employees

Liability of

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*Tapes of
County
Review
Announced*

*Salary for
available*

*all their
disposal
at
DCA*

STATEMENT OF ACCORD

FIRST AND SECOND CLASS COUNTIES

January 16, 1981

1. Bill presently states Sheriffs would receive \$5,000 more than other elected officials.

Position: Sheriffs would receive not to exceed \$2,000 more than other elected officials.

2. Bill presently states that in counties over 30,000 population the Coroner is full time.

Position: County Commissioners would determine amount of time Coroner works and determine salary accordingly.

3. Bill presently states the base salary for elected officials would \$14,000.

Position: Base salaries for first and second class counties would be \$14,000. ~~Third and fourth would be \$12,000. Fifth through seventh would be \$10,000.~~ All increments would be added to that.
all other Co's make their own rec's

4. Bill presently states a cost of living increase would be equal to the Consumer Price Index.

Position: Cost of living increase would be paid by the County Commissioners to all elected officials in an amount not to exceed the Consumer Price Index as determined by the federal government.

5. Bill presently states County Attorneys would receive \$45,000 in full-time positions.

Position: County Attorneys would be excluded from this bill and covered elsewhere since they are half state and half county.

6. Bill presently states Superintendents and Surveyors would receive \$500 extra.

Position: Superintendents and Surveyors would receive the same base as the County Commissioners with no extra.

7. Bill presently states the County Commissioners can give themselves ~~up to~~ a 30% raise.

Position: ~~Strike above~~ *apply to all elected officials across the board -*

NAME: Walter Z. Hammormaster DATE: Jan 17, 1981

ADDRESS: Conrad, Mont

PHONE: ^C 278-3923 H 278-3163

REPRESENTING WHOM? County Compensation Board

APPEARING ON WHICH PROPOSAL: SB 50

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

NAME: Philip O. Rabb DATE: 1-17-81

DATE: 1-17-81

ADDRESS: 8530 N. Montrose

PHONE: 458-9146 home 443-1011 ext 243 work

REPRESENTING WHOM? Madama Shubox Peace Officer

APPEARING ON WHICH PROPOSAL: 5B50

DO YOU: SUPPORT? ☒

AMEND? _____

OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

L John Oustad

1-17-81

319 W. Main

Bozeman

587-4809

Montana Sheriffs

SB 50

DO YOU:

SUPPORT?

A large handwritten 'X' mark is drawn over the page, crossing the horizontal line.

AMEND?

OPPOSE?

COMMENTS:

NAME: Edward Stone DATE: 1-13-81

DATE: 1-15-81

ADDRESS: Lake County Courthouse, Polson Mont.

PHONE: 883-4321

REPRESENTING WHOM? Mont. Sheriff's Assoc.

APPEARING ON WHICH PROPOSAL: Senate Bill 50

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Donald J. Campbell DATE: 1/17/81

ADDRESS: Box 290 North Point, Md.

PHONE: 653-1061

REPRESENTING WHOM? Cherill

APPEARING ON WHICH PROPOSAL: Shirley Woods

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Robert Wright

DATE: 1-17-81

ADDRESS: Kellogg St.

PHONE: 755-5300

PHONE: 702-2500

REPRESENTING WHOM? C. Spalding

APPEARING ON WHICH PROPOSAL: *1650*

SUPPORT?

✓

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Ellen Drake DATE: 1/17/81

ADDRESS: Helena

PHONE: 442-0230

REPRESENTING WHOM? Mt. Ass'n of County School Superintendents

APPEARING ON WHICH PROPOSAL: SB 50

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: General support

NAME: Ray White DATE: 1-17-81

ADDRESS: Bozeman Mt.

PHONE: 586-2323

REPRESENTING WHOM? County Assessors Assoc.

APPEARING ON WHICH PROPOSAL: S. B. 50

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: _____

Barbara Lano

1-17-81

24/5 56th

251-3001-(Home)

721-5700 - ext 203 - (jgc)

REPRESENTING WHOM?

Missouri County

APPEARING ON WHICH PROPOSAL:

Salary Bill

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Lorraine P. Mahler DATE: 1-17-81

ADDRESS: Box 366 - Virginia City, 59755

PHONE: 743-5311

REPRESENTING WHOM? Maitre Association of Clerk & Records

APPEARING ON WHICH PROPOSAL: Senate Bill 752

DO YOU: SUPPORT? yes AMEND? _____ OPPOSE? _____

COMMENTS: Supporting Salary Commission Bill with amendments

NAME: M.E. "Mickey" Nelson DATE: 17 Jan 81

ADDRESS: Lewis & Clark County Courthouse - Helena, MT

PHONE: 442-7398

REPRESENTING WHOM? MT Elected County Officials & MT Coroners Assn

APPEARING ON WHICH PROPOSAL: S.B. 50

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: Full support of both associations as
bill is written

NAME: Mrs Sarah M. Rowe DATE: January 17, 1981

ADDRESS: 310 So Virginia, Conrad, Pondera County, Montana

PHONE: 406-278-3913

REPRESENTING WHOM? Clerks of District Court

APPEARING ON WHICH PROPOSAL: SB-50

DO YOU: SUPPORT? yes AMEND? _____ OPPOSE? _____

COMMENTS: I will submit written testimony and
hand-out sheet

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Mary Ann Mc Kee DATE: 1/17/81

ADDRESS: Helmville, Wt.

PHONE: 793-5736

REPRESENTING WHOM? Clerks of District Court

APPEARING ON WHICH PROPOSAL: Senate Bill 50

DO YOU: SUPPORT? yes AMEND? _____ OPPOSE? _____

COMMENTS: this is a bad bill; it affects
too many elected county officials.
We have a service, given of employment
that is better to maintain,

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Ruthmary Tona DATE: 4/17/81

ADDRESS: P.A. Box 1961, Bayamon

PHONE: 587-0982

REPRESENTING WHOM? Holliston County Commissioners

DEPARTING ON WHICH PROPOSAL: SB 50

DO YOU: SUPPORT? _____ AMEND? ✓ _____ OPPOSE? _____

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Jim Strou DATE: 1/17

ADDRESS: Billings

PHONE: 245-3703

REPRESENTING WHOM? Yellowstone Co.

APPEARING ON WHICH PROPOSAL: County officials comp.

DO YOU: SUPPORT? ☒ AMEND? ☒ OPPOSE? ☐

COMMENTS: Supportive of bill as submitted but have
problems with portion dealing with coroner
and added compensation for sheriff & school
supt. in 1st class counties

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Kenneth A. Coulter DATE: 1-17-81

ADDRESS: Box 36 BRUSETT, MONT 59318

PHONE: 557-2517 - 557-2760

REPRESENTING WHOM? MACO - GARFIELD COUNT

APPEARING ON WHICH PROPOSAL: S. B. 50

DO YOU: SUPPORT? AMEND? X OPPOSE?

COMMENTS: I support the concept of the bill

~~smaller~~ lower valuation counties do
not have the ability to meet the salary
schedule in the bill as proposed. This is
especially true of the sheriff and county
attorney salaries.

Other county employees salaries are
based on elected officials salaries, such
as deputies, secretaries, ~~and~~ and others,
therefore raising elected officials ~~is~~ has ~~the~~ a
broad effect on the county salaries as a whole
I recommend greater flexibility in salary
schedule for class 5, 6 & 7 counties

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Merrill H. Shindler DATE: 1-17-81

ADDRESS: 1935 Regwood Dr. Bldg

PHONE: 245-0263 office 252-5181 ext 310

REPRESENTING WHOM? County Clerk & Records Assn

APPEARING ON WHICH PROPOSAL: SB 50

DO YOU: SUPPORT? ☒ AMEND? ☒ OPPOSE? ☐

COMMENTS: amend SB 50 to include 30% factor
as stated in Co Comm. III

NAME: Ray Stripes DATE: 7-17-81

ADDRESS: 620 Hill St Shelby MS

PHONE: 434-2572

REPRESENTING WHOM? Shelby Tolo County Taxpayer Assn

APPEARING ON WHICH PROPOSAL: Bill #50

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? ✓

COMMENTS: We as a group, oppose any increase of
Wages for the Tolo County Commissioner.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME:

Gwendolyn Ferrell

DATE:

1/17/81

ADDRESS:

Box 8296 Palson

PHONE:

883-4419- office 883-6211 ext. 276

REPRESENTING WHOM?

Co. Compensation Bdmt. Assoc.Co. Supt of Schools

APPEARING ON WHICH PROPOSAL:

SB 50

DO YOU:

SUPPORT?

☒

AMEND?

☐

OPPOSE?

☐

COMMENTS:

As a member of the Bd I know we
have worked diligently to present what
we believe to be our best effort to meet
the duties assigned to us by the 19 Leg.
We have tried to eliminate the
need for the Leg. to address County
salaries - at least for a session or two.

One thing I wish to stress - my assoc.
and the majority of the other assoc. do
not wish the Commissioners to
have anything to do with setting
salaries.

NAME:

Larry J. McRice

DATE:

1-17-81

ADDRESS:

Mineral County
Superior, MT

PHONE:

822-4571

REPRESENTING WHOM?

Comp Bd Assessor Assoc.

APPEARING ON WHICH PROPOSAL:

SB 50

DO YOU:

SUPPORT?

☒

AMEND?

OPPOSE?

COMMENTS:

I support this. The Board has
fulfilled all the duties required and
have worked very hard to prepare this.
The salary and population increment
are justified. I do strongly recommend
a do pass note.

NAME: Willis M. McKee DATE: 1-17-01

ADDRESS: Walt. MIT

PHONE: 654-1131

REPRESENTING WHOM? Phillips Credit Office

APPEARING ON WHICH PROPOSAL: S.B. # 50

DO YOU: SUPPORT? ☒ AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

DATE

January 17, 1981

COMMITTEE ON

LOCAL GOVERNMENT

BILL NO. SB50

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppose
Harry E. Swane	County ^{spary comm. member} Treasurers	✓	
Theresa A. Humphrey	Clerks of Court - Cnty Salary Comm.	✓	
Robert A. H. H.	Blaine Co. - Twp County	✓	
Buff Grimes O'Reilly	Montana Sheriff's Peace Officers Assoc.	✓	
W. H. H.	Co. Communes	✓	
William H. Lee	Chief of Court (Payroll) Court	✓	
John Burkett	Chgo. Court - Butte	✓	
Peter Hammermeister	County Compensation Board	✓	
Lesley McAdoo	Blaine Co.	✓	
Bill Bink	Stillwater Co. ^{Salmon} Comm.		
W. McCallister	Bonanza Co. Comm.		
Jim Hixon	Yellowstone	✓	
Ray Stimpson	Todd County - Stillwater City Township		✓
James (Jim) Hild	" " "		✓
Robert Russell	" " "		✓
Don Snyder	" " "		✓
Richard Terine	Mont. Assoc. of Co. Supt.	✓	
Wally Kennedy	Mont. Assoc. of Co. Supt.	✓	
Glen Drake	Mont. Assoc. of Co. Supt.	✓	
Wally Haggott	Broadwater County		
William E. Haggott	Broadwater County		
James J. Miller	Payroll Co. Twp. Change of Comm.	✓	
James Lippert	Big Horn Co.	✓	
Don Burns	Cascade Co. Sheriff	✓	
Ray White	Assessors Assoc.	✓	
Wm. "Mickey" Nelson	MT Elected Officials & MT Governors Assoc.	—	

(Please leave prepared statement with Secretary)

DATE _____

COMMITTEE ON _____ LOCAL GOVERNMENT

BILL NO. _____

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppos
Nancy L. Labe	Mont. Magistrates Assoc.	✓	
Upper Mazon	Mont. Magistrate Assoc.	✓	
Hermandine J. J. J.	Co. Compensation Bd. Schools	✓	
Angeline D. Knauer	Lake Co. Treasurers (Mt. Treas. Assoc.)	✓	
Barbara L. L.	Ypsla Co. Comm.	✓	
Ellen Evans	Tarpaper	✓	
Mike Bowman	Ms. Co. Supt. of Schools	✓	
Kathy, K.	Tarpaper	✓	
Kenneth A. Caultier	MA CO - GARFIELD Co	✓	
Dolan B.	Fallon Co	✓	
Pat K.	Fallon Co	✓	
William E. W.	Broadwater Co	✓	
Walter L.	Cascade Co. Supt of Schools & Educ.	✓	
Wally C.	Russell Co Sheriff	✓	
W. J. J.	AFSCME - AFL-CIO		
Carl P.	Lewis & Clark Co Sheriff's Dept.	✓	
Judy F.	Trainer	✓	
Pauline M.	Madison County Recorder	✓	
Dale K.	Loc. Clerk & Rec.	✓	
Merrell H. K.	Yell Co. Clerk & Rec.	✓	
Ruth L.	Lincoln Co. Assessor	✓	
Rita J. B.	Fergus Co. Assessor	✓	
W. J. M.	Phillips Co. Attorney	✓	
Tom H.	County Attorneys	✓	
John H. A.	Tonka County		
Sarah M. R.	Clerks of Court - Pondera Co	✓	

(Please leave prepared statement with Secretary)

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DATE _____

COMMITTEE ON _____

BILL NO. _____

VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppose
Joe Roberts	Montana County Treasurers Assoc.	✓	
Robert A. Wolff	"	✓	
William L. Lath	Gallatin County Commissioners	✓	
Edw. Christ	Gallatin County Sheriff	✓	
J.C. WINGGARTER	Mt. Magistrates Assoc.	✓	
Coethryn Grant?	629 Ash - Shelby tax	payor	✓
Kurt M. McConville	Shelby, Teton Co. Taxpayers		✓
John S. Hecke	Teton County Comm.	✓	
Will Todd	Teton County Assessor, Palson	✓	
Oliver W. Young	Golden Valley cy Taxpayers		✓
Anna Z. Line	" " " "		✓
Don Harris	Assessors Assoc.	✓	
H. Buck O'Connell	Treasurer	✓	
Chas. Erickson	Cascade County	✓	
Lara Helrich	L. E. Co. Clerk Dist Court	✓	
Jim Brewster	Cascade Co. Sheriff		
John F. G.	Broadwater Co. Atty.	✓	
Sally J. M. Price	Comp Bd. Assessor Assoc.	✓	
Janice Huffman	DCA, Sec. to Board	✓	
John Sully	Shelby J. Ferris O.R.	✓	
Mike Stryker	M.A.C.	✓	

(Please leave prepared statement with Secretary)

MINUTES OF THE MEETING
SENATE LOCAL GOVERNMENT COMMITTEE
February 17, 1981

STATE LAW LIBRARY
MAY 5 1981
OF MONTANA

The meeting of the Local Government Committee was called to order by Chairman George McCallum on the above date in Room 405 at 12:35 p.m.

ROLL CALL: All members were present with Senator Van Valkenburg coming in late.

CONSIDERATION OF SENATE BILL NO. 442:

AN ACT TO PROVIDE FOR COUNTY AND MUNICIPAL
REGULATION OF BOXING AND WRESTLING MATCHES.

Senator Steve Brown, District No. 15, explained this was a companion bill to the one abolishing the Board of Athletics. When the audit committee recommended termination, they decided it would be best to adopt a law dealing with the basic requirements. The major provisions are: you must have a city permit if within the city limits or county permit if within the county; the ordinance must require reasonable measures for fair conduct and physical examinations; the ordinance must guarantee payment to the officials; the local government shall require promoter to put up a surety bond; the local government will charge a fee to the promoter commensurate with the cost of providing the certificate, this is an alternative revenue measure for local governments because they can collect tax on proceeds of the events; and the local government will not have the power to control amateur events. He submitted two amendments to the bill. (See attached Exhibit A.)

Dan Mizner of the League of Cities and Towns said he had worked on this bill when they were putting it together. The League supports the bill, although he has not seen the amendments.

There were no opponents of the bill appearing before the committee. Senator McCallum then called for questions.

Senator Conover asked if a person could collect on the bond if they were injured.

Senator Brown answered yes they could.

CONSIDERATION OF SENATE BILL NO. 375:

AN ACT TO REVISE THE LAW RELATING TO THE
COMPENSATION OF UNDERSHERIFFS AND DEPUTY
SHERIFFS.

Senator O'Hara, Cascade County, said he introduced this bill at the request of the Montana Sheriffs and Peace Officers Association.

Dan Mizner said most cities and towns under an all-purpose mill levy have a 65 mill limitation. If their taxable valuation does not increase by 5%, they can put on the number of mills necessary to equal the growth of the budget. PERS is outside the 2 mill limitation on health insurance for firemen and police. The Attorney General issued an opinion 3 or 4 months ago relative to mill levies outside the all-purpose mill levy. They must come within the 65 mills limitation of 2 mills for firemen and police.

Senator Ochsner asked what the minimum wage was for firemen and police.

Mr. Sampson said \$750 per month.

Senator Ochsner asked if that applies to counties.

Senator Manley said no.

Senator McCallum asked Mr. Mizner if anytime the legislature mandates the cities to do something, don't they also have to mandate revenue.

Mr. Mizner said the law reads if a mandate is placed upon a local government, a method of funding must be mandated also or they do not have to implement it. They have never tested that in the courts.

Senator McCallum asked how many mills in excess of 65 mills has the legislature given permission to levy.

Mr. Mizner said it is not a mill as such. What it says is to cover the cost of comprehensive insurance, you can put on the number of mills necessary to pay those bills.

DISCUSSION OF SENATE BILL NO. 50: Senator McCallum handed out the amendments the subcommittee had prepared for this bill. (See attached Exhibit C.) He said they selected random counties to show the committee what effects the amendments would have. (See attached Exhibit D.) The first through third class counties will receive a \$14,000 base with \$10 per hundred population increments. In Yellowstone County that amounted to about an 8% raise. The base salary in Yellowstone County would be \$24,000.

Debbie Schmidt of the Legislative Council explained the proposal. First through third class counties can levy up to 25 mills and fourth through seventh class counties can levy up to 27 mills. First through third class counties would get a \$14,000 base plus \$10 per hundred population increment. Fourth through seventh class counties would get a \$12,000 base plus \$20 per hundred

population increments. It comes out fairly even for most counties, around 7 or 8%, except for Richland and Rosebud Counties where they have high taxable valuations. Under the present system the salary is based on population and valuation. Under the amendment proposal the taxable valuation is pretty much taken out. After the base salary, the county commissioners can, by resolution, increase the salaries up to 70% of CPI. There cannot be a decrease in the county officials' salaries. In counties where this would not amount to a 7% increase, the salaries will be raised by 7%.

Senator Conover said we should make sure they will not be back in two years asking for another increase.

Ms. Schmidt said they might come in to amend the formula but that would be all.

Senator McCallum said in 1979 we voted to raise sheriffs' salaries to \$2,000 above the base. The Attorney General ruled that was not legal because it was over a 7% increase. The sheriffs only received \$1200 above base so we now want to give them the full \$2,000 above base. County superintendents will still receive \$400 above base. Full-time county attorneys currently receive \$34,346, we are raising that to \$35,000.

Senator Hammond asked about part-time county attorneys.

Senator McCallum said they would receive half. It isn't much different from what they are getting now.

Debbie Schmidt added the coroners' salaries were left in because the subcommittee did not have strong feelings on that. On page 7 there is new language in subsections 1 and 2 that provides for a substantial increase in county commissioners' salaries. This keeps the commissioners at the same level with the other elected officials. In the future the salaries may be raised up to 70% of the CPI.

Senator Thomas moved we put both bills out to the floor and let everyone decide on Senate Bill Nos. 50 and 167. He doesn't think the committee should pass judgement on one or the other without the whole body making the decision. He thinks SB167 should be heard first and if it passes, there would have to be some amendments on how it will effect county attorneys.

Senator Hammond thought that would be ducking the issue.

Senator McCallum said both bills will be down.

Senator Hammond said he likes what the committee has done. He wants to have a little time now to compare the two bills.

111

Senator McCallum said Senate Bill No. 50, as amended, does basically what Senate Bill 167 does. This just sets a base the county commissioners can work with.

Senator Thomas said he thinks this is a fair compromise.

Senator Van Valkenburg asked where can commissioners pay more.

Senator McCallum said there is nothing to prohibit it. It would be in the future.

Senator Conover said if they can set salaries in the future, that is Senate Bill 167.

Senator McCallum said at least we are setting some guidelines.

DISCUSSION OF SENATE BILL NO. 442: Debbie Schmidt said Senator Brown's amendments on SB442 were to add the rules be adopted by ordinance or resolution and to provide for qualified officials and guarantee payment of those officials by the promoter.

Senator Conover moved the amendments be adopted.

Senator Van Valkenburg asked if there was something that provides for publication of rules so someone at the local level knows.

Debbie Schmidt said they would be rules by ordinance or resolution. She thinks they would have to be available to everyone.

Senator Conover's motion passed.

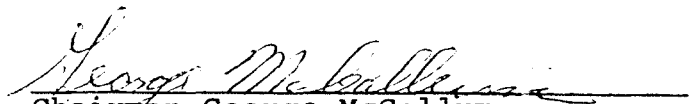
Senator Thomas asked if we could get a fiscal note for SB375.

Everyone agreed that would be a good idea.

Debbie Schmidt said it takes 4 or 5 days to draw up a fiscal note.

Senator Thomas said we would have trouble on the floor without it.

DISPOSITION OF SENATE BILL NO. 155: Senator Hammond moved this bill DO PASS. The motion carried unanimously.


Chairman George McCallum

ROLL CALL

LOCAL GOVERNMENT COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 2/17/81

NAME	PRESENT	ABSENT	EXCUSED
Senator George McCallum	✓		
Senator Jesse O'Hara	✓		
Senator H. W. Hammond	✓		
Senator J. Donald Ochsner	✓		
Senator Bill Thomas	✓		
Senator Max Conover	✓		
Senator Fred Van Valkenburg	Came in late		

Each day attach to minutes.

PROPOSED AMENDMENTS TO SB 50

1. Page 4, lines 11 through 16.
Following: "of"
Strike: the remainder of line 11 through line 16
Insert: ": (a) \$14,000 for counties of the first through third class to the population increment of \$10 for each 100 persons or major fraction thereof included in the county's population as determined by the 1980 federal decennial census; or

(b) \$12,000 for counties of the fourth through seventh class to the population increment of \$20 per 100 persons or major fraction thereof included in the county's population as determined by the 1980 federal decennial census."
2. Page 4, line 19.
Following: "\$400"
Strike: "\$500"
Insert: "\$400"
3. Page 4, line 23.
Following: "\$2,000"
Strike: "\$5,000"
Insert: "\$2,000"
4. Page 5, line 5.
Following: "\$30,000"
Strike: "\$45,000"
Insert: "\$35,000"
5. Page 5, line 13.
Following: "\$30,000"
Strike: "\$45,000"
Insert: "\$35,000"
6. Page 5, line 15.
Following: "be"
Strike: "\$22,500"
Insert: "\$17,500"
7. Page 7, lines 7 through 10.
Following: "-~~r~~"
Strike: the remainder of line 7 through line 10.
Insert: "."
8. Page 7, line 12.
Following: "-a"
Strike: "an annual"
Insert: "a"
9. Page 7, lines 14 through 16.
Following: "-beard"
Strike: the remainder of line 14 through the word "\$80" on line 16
Insert: "of not more than \$50"

10. Page 8, lines 12 and 13.
Following: "salary"
Strike: "of \$14,000, 100%"
Insert: ", not more than 70%"
11. Page 9, line 7.
Following: "least"
Strike: "10%"
Insert: "7%"
12. Page 9, line 9.
Following: "to"
Strike: "10%"
Insert: "7%"

L 470

County	Class	Present Law	7% Increase Per Year	Population To Nearest 100	Salary Under SB 50	Salary Under Amended Proposal
Yellowstone	1	\$19,167	\$21,943	108,000	\$31,170	\$24,800
Golden Valley	7	9,432	10,798	1,100	14,220	12,200
Judith Basin	5	10,202	11,680	2,700	14,540	12,540
Fergus	3	12,370	14,161	14,000	16,800	15,400
Rosebud	?	15,636	17,901	10,000	16,500** (19,691)	14,000* (19,154)
Toole	2	11,952	13,683	5,600	15,120	14,560* (14,641)
Lewis & Clark	1	14,446	16,538	43,100	21,956	18,310
Richland	1	14,395	16,480	12,300	16,460** (18,128)	15,230* (17,633)
Missoula	1	17,673	20,233	73,400	26,510	21,370* (21,649)
Hill	2	13,323	15,253	18,000	17,600	15,800* (16,320)
Sanders	4	11,652	13,339	8,600	15,720	13,720* (14,273)
Park	4	11,991	13,790	12,700	16,540	14,540* (14,755)
Custer	3	12,096	13,847	13,100	16,620	15,310
Lake	3	12,592	14,416	20,000	18,000	16,000
Pondera	3	11,328	12,968	6,800	15,360	14,680

1 - 3 class - 25 mills

4 - 7 class - 27 mills

Under Amended Proposal

(a) 1 - 3 class - \$14,000 base + \$10 per hundred

(b) 4 - 7 class - \$12,000 base + \$20 per 100

Under SB 50

base + \$20 x population

up to
\$13,000
100

+ \$15 x pop. over 30,000
100

County Attorney = \$35,000

Sheriff = base + \$2,000

Coroner = same as in SB 50

County Supt = base + \$400

How will salaries be set in future?

Under SB 50 = County commissioners will increase according to CPI

Under SB 167 = Commissioners will set, but can't be lower than now.

* = cases where salary determined according to amended proposal formula is less than minimum 7% increase

** = cases where salary is less than minimum 10% increase under SB

February 16, 1981
Arlee, Mont.

I'm employed by Lake County as a resident deputy sheriff. I live in Ravalli, a small community in the southern area of the county, it is this area that I'm responsible for. There are two paved roads, numerous gravel roads and two unincorporated towns, Ravalli and Arlee. There are approximately 2500 people who live in the area, a mixture of native Americans and white's. There are ranches, both large and small, townspeople and people with various levels of income, both povertish and wealthy.

The area that I patrol covers about eighteen miles of U.S. 93 from the Missoula County line south of Arlee to a point just south of St. Ignatius. This is one of the paved roads. The other main road is the Jocko Canyon Road, the first three miles being paved, the remaining fifteen miles being gravel to the Missoula County line to the east.

The basic function of a resident deputy, like myself, is that he handles all law enforcement problems in the area in which he lives. He has to be a police officer, marriage counsellor, arbitrator and a good listener. The job involves being on duty or on call twenty four hours a day, seven days a week, including holidays. The resident does not work a shift then goes home until the next shift. There generally is not a relief man to cover the area for the resident. The people become so accustomed to the resident that they will not share information or their problems with anyone outside the area. It's a matter of trust. A relief deputy coming into the area would also create an open position in the office area or it would cause another resident to double up and cover two areas. In a department like the one in Lake County, relief coverage of this type is almost impossible due to the large area covered by so few deputies.

The hours can and do become quite long. Some days can be somewhat normal. This might be going out on patrol during the day and getting home for supper. The duties involved in day time patrol usually consist of checking school traffic before, during and after school. It also involves contacting local buisnesses. The main purpose for this is for public relations, keeping a pulse on the local events and happenings in and about the area. The rest of the day could take up a multitude of things. Sometime during the evening or after going to bed, a call could come in. This type of call usually involves some type of serious problem or crime. It could involve anything from homicide, burglary or theft to a domestic situation, the most dangerous to police officers. The call could interrupt an evening at home after a long day or could come just after getting to sleep. Some nights, more then one call might come in. The deputy might be up all night taking someone to jail thirty-five miles away, writing reports or attempting to settle a domestic situation so that a criminal act isn't committed. It should also be kept in mind that during these occasions the deputy might have been up for almost eighteen to twenty hours. If a crime is committed during the night, the deputy might have to spend the day time hours investigating the incident. There might be more then one case being investigated at the same time. There are some crimes committed that might require all night surveillances in addition to the required day time

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duties. Court appearances are another important duty that takes up time. This requires traveling to the county seat and spending either part or the entire day standing by. This could happen after being up all night on a call of some sort. All of these activities are done in addition to keeping up with the flow of activities and news of the area. In between all of these activities, the deputy has to find time to sleep, eat, be a husband, parent and keep his sanity.

During the first six weeks of 1981, I have worked schedules as previously described. There have been all night surveillances on local businesses everynight for three straight weeks. There have been two occasions within the last twelve days in which I have been awake and working for twenty eight and twenty six hours respectively. I've had one complete day off since the beginning of the year due to the present work load. This work load has been department wide. This office has only five deputies to cover the whole county every day of the year. Due to the work load and time involved, relief is almost impossible unless more people are hired and this isn't possible due to the lack of funds. There are also transportation details out of the county that have to be made, this causes doubling up among the deputies.

My income is based on a monthly salary. There isn't any paid overtime or compensation time off. The county furnishes a patrol vehicle and all the equipment except for the weapon and ammunition. The vehicle is kept at the deputies residence at all times, however, its used for only official buisness. It would be difficult to give an accurate account of my working hours. I check in with the dispatcher whenever I'm in the vehicle and this is recorded. There are times when paper work such as reports are done at the house, this is not recorded. My average work week consists of about seventy five or so hours. These hours are necessary otherwise the work could not be completed. This does not include phone calls during meal time nor during the evening hours spent with the family.

One question comes to mind at this point, that is " WHY "? Why put up with the long hours, minimum compensation and other hardships that accompany this job? In order to answer that question, one has to know and understand my Sheriff, Glenn Frame. This man is a very dedicated, honest, compassionate, fair and unselfish individual. He asks nothing that he hasn't or won't do himself. I've been in law enforcement almost twenty years and have never had the opportunity and good fortune to work for a better man. Due to my experience, education and training in the field of law enforcement, I consider myself a professional. I look at my position, not as a job but rather a highly technical and skilled profession. There is more to a job then monetary compensation, it's personal achievement and inner satisfaction. If the question of monetary compensation is raised, yes, I'm under paid for the work and effort that I put forth.

I believe that any intelligent, reasonable, understanding individual would have to agree that the income paid for the work performed by any deputy in this department is not adequate. A substantial raise is needed to upgrade the income level in order to keep and maintain qualified officers so that law enforcement remains the highly skilled profession that it is in the state of Montana.

L.R. Merryman
L.R. Merryman
Lake County Sheriff's Off.
Polson, Mont.

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EXECUTIVE SESSION
MINUTES OF THE MEETING
SENATE LOCAL GOVERNMENT COMMITTEE
February 18, 1981

The meeting of the Local Government Committee was called to order by Chairman George McCallum at 7:30 p.m. on the above date in Room 405.

ROLL CALL: All members were present with Senators O'Hara, Conover and Ochsner coming in late due to other meetings.

DISPOSITION OF SENATE BILL NO. 50: Senator McCallum said the subcommittee decided on two different bases. One is for first through third class counties. They would receive a \$14,000 base and \$10 per 100 population increments. The other is for fourth through seventh class counties. They would receive a \$12,000 base and \$20 per 100 population increments. If this does not give them a raise they would get a 7% increase, whichever is more. Instead of giving them 100% of the CPI, we gave them up to 70%. That is to be decided by resolution of the county commissioners on or before July 1 after 1981. All county attorneys get the same regardless of class of county. Part-time county attorneys will receive half the full-time salary. Sheriffs will receive \$2,000 over the base. Part-time county commissioners are raised from \$40 to \$50 per day.

Senator Van Valkenburg asked if most part-time county attorneys are now compensated according to population and taxable valuation.

Senator McCallum said yes they are.

Senator Van Valkenburg said this would probably be a big jump for those in the small counties.

Senator McCallum agreed.

Senator Van Valkenburg said if you give them a raise of \$6,000 in the small counties and a county attorney in a large county receives \$600, that is not going to go over very well.

Senator Hammond said on the base formula the raise is better than 7%, except in smaller counties.

Senator Van Valkenburg asked how the subcommittee decided on the 7% figure.

Senator McCallum said they felt everyone should get a raise and this is setting guidelines for the future. If the population didn't bring them up to 7%, we threw in the 7% figure. They will receive whichever is greater.

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Senator O'Hara said he thinks the attorneys should get a little better.

Senator McCallum said he does not object to that but they have gotten a lot of heat off the county attorneys' salaries. The county attorney is furnished an office, staff and law books. He doesn't know if we could get it through any higher.

Senator Van Valkenburg asked if with the 7% figure in the bill, are the county attorneys going to receive a 7% increase.

Senator McCallum said no they are not but they are the highest paid elected official.

Senator Van Valkenburg said the provision on page 9, lines 6 through 10 would give the county attorney a raise of 7% over the current \$34,346.

Senator McCallum said that would amount to a \$2,403 raise which would amount to a total salary of \$36,750.

Senator Van Valkenburg said that provision would give them a raise. The 7% figure is fine. He would like to see what the fiscal impact would be on the state.

Senator McCallum said he was more concerned with the impact on the counties.

John Scully said he figures it would be a \$3,000 raise for part-time.

Senator McCallum said if the formula is left as is and the population and base would not bring them up, the 7% would.

Senator Van Valkenburg agreed to that. He asked why the subcommittee settled on the \$10 figure for first through third class counties. Did you try to use \$15 to see what it would do.

Senator McCallum said the salary commission worked with \$10 for quite a while. In Yellowstone County the \$15 would be too much, it would raise salaries to about \$30,000.

Senator Hammond said these would be very healthy raises from the old law to the proposed new law. They are all \$2,000 or better.

Senator Van Valkenburg asked about sheriffs, coroners and superintendents.

Senator McCallum said the superintendents are getting \$400 over the base.

Senator Van Valkenburg asked about the sheriffs' increment being decreased from \$5,000 to \$2,000.

Senator McCallum said after last session they thought the sheriffs were getting \$2,000 above base. The Attorney General ruled they could only receive \$1,200 because that was a 7% increase.

Sheriff O'Reilly said they already had the \$1,200 but never got the additional \$800.

Senator Hammond said he does not like the \$400 for superintendents. Many counties are consolidating that office.

Senator Van Valkenburg said that is the law, we are not changing that any. The sheriffs' salary is the one that concerns him. He is worried about the deputies. He is afraid we will still have the 90% figure locking them in.

Senator McCallum said he was not arguing that but this bill is for elected officials.

Senator Van Valkenburg said if you don't raise the sheriffs' salary, the deputies will be locked in at the 90% level.

Senator Hammond said in Malta the sheriff will get a raise of \$6,000. He is happy with what it will do in Phillips, Blaine and Valley Counties.

Senator Hammond moved we accept the formula as we amended here tonight.

The motion passed unanimously, Senators Ochsner and O'Hara were excused.

DISPOSITION OF SENATE BILL NO. 84: Senator Van Valkenburg said the Supreme Court came out with an order in December stating the number of copies they require for transcripts on appeal will be reduced. The folio rate has been based on what they would receive for each copy. They will be taking a cut in pay. Senator O'Hara suggested we give them what would be a token increase to 10 cents per folio. As far as their salary, give them a 7% increase.

Senator Hammond said he would rather go for the salary increase than the folio increase.

Senator McCallum said they are currently receiving a minimum of \$12,500 and a maximum of \$18,000. They want to raise that to a \$16,000 minimum and a \$27,500 maximum.

Senator Thomas suggested a minimum of \$14,000 and maximum of \$20,000.

ROLL CALL

LOCAL GOVERNMENT COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 2/18/81

Executive Session

NAME	PRESENT	ABSENT	EXCUSED
Senator George McCallum	✓		
Senator Jesse O'Hara	✓		
Senator H. W. Hammond	✓		
Senator J. Donald Ochsner	✓		
Senator Bill Thomas	✓		
Senator Max Conover	✓		
Senator Fred Van Valkenburg	✓		

Each day attach to minutes.

SENATE COMMITTEE ON LOCAL GOVERNMENT

Date 2/18/81 Senote Bill No. 50 Time 7:30

NAME	YES	NO
Senator George McCallum	✓	
Senator Jesse O'Hara	Excused	
Senator H. W. Hammond	✓	
Senator J. Donald Ochsner	Excused	
Senator Bill Thomas	✓	
Senator Max Conover	✓	
Senator Fred Van Valkenburg	✓	

Gail Stockwell
Secretary, Gail Stockwell

George McCallum
Chairman, GEORGE MCCALLUM

Motion: Senator Hammond moved SBES DO PASS as amended.

(include enough information on motion—put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

February 18

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MR. PRESIDENT

We, your committee on LOCAL GOVERNMENT

having had under consideration SENATE Bill No. 50

Respectfully report as follows: That SENATE Bill No. 50
be amended as follows:

1. Page 1, line 16.

Following: line 15

Insert: "part-time county attorney,"

2. Page 4, lines 11 through 16.

Following: "of"

Strike: the remainder of line 11 through line 16

Insert: ": (a) \$14,000 for counties of the first through third class to the population increment of \$10 for each 100 persons or major fraction thereof included in the county's population as determined by the 1980 federal decennial census; or
(b) \$12,000 for counties of the fourth through seventh class to the population increment of \$20 per 100 persons or major fraction thereof included in the county's population as determined by the 1980 federal decennial census."

(cont'd)

DO PASS

Local Government Committee
Senate Bill No. 50
Page 2

3. Page 4, line 19.

Following: "~~\$400~~"

Strike: "\$500"

Insert: "\$400"

4. Page 4, line 23.

Following: "~~\$2,000~~"

Strike: "\$5,000"

Insert: "\$2,000"

5. Page 5, line 2.

Following: "~~\$1,200~~"

Insert: "Except in counties with a population greater than 30,000, the county attorney who is a part-time official shall receive, in addition to the salary based upon subsection (1), the sum of \$1,200 per year."

6. Page 5, line 5.

Following: "~~\$30,000~~"

Strike: "\$45,000"

Insert: "\$36,500"

7. Page 5, line 13.

Following: "~~\$30,000~~"

Strike: "\$45,000"

Insert: "\$36,500"

8. Page 5, lines 13 through 16.

Following: "."

Strike: the remainder of line 13 through the word and punctuation "1921." on line 16.

9. Page 7, lines 7 through 10.

Following: "-."

Strike: the remainder of line 7 through line 10

Insert: "."

10. Page 7, line 12.

Following: "-a"

Strike: "an annual"

Insert: "a"

11. Page 7, lines 14 through 16.

Following: "-beard"

Strike: the remainder of line 14 through the word "\$80" on line 16

Insert: "of not more than \$50"

(cont'd)

Local Government Committee
Senate Bill No. 50
Page 3

12. Page 8, lines 12 and 13.
Following: "salary"
Strike: "of \$14,000, 100%"
Insert: ", not more than 70%"

13. Page 9, line 6.
Following: line 5
Strike: "7-4-2503(1)"
Insert: "7-4-2503"

14. Page 9, line 7.
Following: "least"
Strike: "10%"
Insert: "7%"

15. Page 9, line 9.
Following: "to"
Strike: "10%"
Insert: "7%"

And, as so amended,

DO PASS

Pa.

47th Legislature (1981)

Bill No.	Subject Matter	Date In	Sponsor	Hearing Date	Committee Action	Date Out
SB 50	Establishing salaries for elected county officials	3/2	G. McCallum	March 12	AS AMENDED BE CONCURRED IN	3/26
SB 84	Amending 3-5-602 to increase the salary of District Court Reporters	3/2	B. Brown	March 14	BE CONCURRED IN	3/26
SB 115	Amending 7-13-231 to establish notice and hearing procedures relating to fees for refuse disposal districts.	3/2	McCallum	March 5	AS AMENDED BE CONCURRED IN	3/21
SB 131	Amending 76-3-501 to require subdividers to construct and maintain fences	3/2	Paul Boylan	March 5	BE <u>NOT</u> CON- CURRED IN	3/21
SB 175	Amending 3-5-604 to increase the costs of copies of court proceedings	3/2	Don Oshsner	March 14	BE CONCURRED IN	3/26
SB 215	Amend 7-32-2141 to increase fees charged by the sheriff for services of documents	3/2	Joe Mazurek	March 14	BE CONCURRED IN	3/14

LOCAL GOVERNMENT COMMITTEE MEETING
March 12, 1981

The Local Government met March 12, 1981 at 12:30 p.m. in the Auditorium of the Old Highway Building. CHAIRMAN BERTELSEN called the meeting to order and asked the secretary to call the roll. All committee members were present except REPRESENTATIVES VINGER, AZZARA and GOULD who were excused. REPRESENTATIVE HANNAH was absent. STAFF RESEARCHER LEE HEIMAN was also present.

SENATE BILL 50 sponsored by SENATOR GEORGE McCALLUM

CHAIRMAN BERTELSEN introduced SENATOR McCALLUM and asked that he introduce his bill.

SENATOR McCALLUM said Senate Bill 50 is a result of the County Compensation Board that was created 1979 session. The Board was to be appointed by the Governor. He appointed a member from each one of the elected officials to make a recommendation on salary increases. They came up with an agreement in November or December of 1980 as to what they were going to recommend to the legislature in terms of salary increases.

When the bill was first introduced in the Senate, the subcommittee made certain changes because of the concern of a number of counties. The bill in front of you is the bill which the subcommittee recommended and which the Senate Local Government passed over to you.

The Local Government Committee reduced the \$20 per hundred to \$10 per hundred and \$20 for populations above 30,000. In the past Local Government Committees used the population and evaluation of the various counties. Elected officials have always told us that the evaluation isn't what gives them the problems, it's people. They worked on the formula that the more people you had, the more problems you had, and the more work. The Senate Local Government committee went for \$20 per hundred plus a \$12,000 base. They included figures so if that didn't bring them up to what a 7% increase in salary would be, we give them the 7%.

In Yellowstone County we stayed with \$10 per hundred plus we raised the base to \$14,000. The county sheriff's were raised \$2,000 above the base. Last session the salary was set at \$2,000 above the base. The Attorney General ruled that we made some mistakes in our amendments so they only got \$1,200. So we thought we should put that back in. The Superintendents of Schools had been getting \$400 above the base and that is left as it is. County Attorneys are now receiving \$34,346. Part-time county commissioners are receiving the base plus \$1,200. We raised the county attorneys to \$36,500 and part-time ones will get the base of \$1,200. The salary commission had asked for a Consumer Price Index of 100%, which the commission would set by resolution by the first of July after 1981, or in June 1982. We changed it to 70% of the CPI. There was a great deal of talk as to whether the counties would be able to come up with the money to

pay the increases.

On the floor of the Senate most of us agreed that they receive \$2,500 more than the base salary because county commissioners are the governing body of the county and 11 sheriff's are on call 24 hours a day, seven days a week. That would make them the highest paid county officials except for the county attorney.

CHAIRMAN BERTELSEN announced we have to be out of here by 2 o'clock so we'll assess your time on that basis. Will all witnesses be sure to sign the witness sheets in the back hall.

MIKE STEPHEN represented the Montana Association of Counties. He said they strongly support the bill in its current form. The increases that are figured for each county are reasonable and affordable. He reminded the group that with passage of this bill, this is a mandated increase in wages, followed by the years afterwards of being set by the commissioners of up to 70% of the consumer price index. I think the second portion of the bill adds some flexibility and gives rise to the fact that each county is different, and the portableness of this can be taken care of on the local level. He also mentioned that numerous elected officials from Flathead Lake, Lincoln, Mineral, Missoula, Ravalli and Sanders Counties have signed a sheet which recommends an amendment to raise the base salaries in succeeding years by an increment up to 100% of the price index instead of not more than 70%. You can observe their signatures.

WALTER L. HAMMERMEISTER, Chairman of County Compensation Board and Sheriff of Pondera County, said he was presenting a written list of things which they accomplished. If you later run out of witnesses, I would be willing to speak as a private individual to support a pay raise for county officials.

WILLIAM ROMINE represented the Clerk and Recorder Association. He said they support the basic purposes of Senate Bill 50. He submitted written testimony which is made a part of these minutes. He also submitted several amendments which they urge be incorporated in this bill. We urge that you support Senate Bill 50 with the suggested amendments.

BILL BRINCKEL, a county commissioner from Stillwater County said he served a dual purpose as he also served as a member of the salary commission. We endorse the bill as it comes out of the Senate but we do have one amendment. We would like to change the base to \$13,000 for counties of the fourth and fifth class to the population increment of \$15 per 100 persons or major fraction thereof included in the county's population as determined by the 1980 decennial census.

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JOHN NESBO, Commissioner of Toole County and President of the Montana Association of Counties said the Association stands in support of Senate Bill 50. We feel that it is a workable and affordable bill. With the cost of living provision included, it also addresses individually the very fine responsibilities of each county. The current amended version of Senate Bill 50 positively addresses the various responsibilities of county officers. We urge your passage of Senate Bill 50.

WILLIS M. McKEON said he is county attorney from Phillips County and the county attorney representative on the County Compensation Board. He briefly reviewed the work of the County Compensation Board. The last legislative session created this board and over the past year we met 12 or 14 times examining the duties, responsibilities and obligations of the various elected county officials, looking over their job classifications, listening to them review statutory obligations they have to fulfill and remembering that each session of the legislature brings additional duties to each county elected official. The lowest paid county official generally receives about \$6,000 less than the highest paid county official. We didn't think that was fair. We felt the county official in the smallest county was doing the same amount of work as that county official in the larger counties. In the small counties they work with a staff of 2 or 3 people in the office. In the large counties they are working with a staff of anywhere from 30 to 40 people. We hoped that we could do away with taxable value as having any effect in establishing the salary of any elected official. We really haven't accomplished that. We now have a salary bill that pays the county officials in the first, second and third class counties X number of dollars and in the 4th, 5th 6th and 7th class Y number of dollars. That is still being affected by the taxable value of the counties and the proposed amendments presented today creates a third class.

When that is done, the figures on the sheets passed out to you will show that there will still be a differential that is larger than it was before, or about \$6,500 from the lowest paid county official to the highest paid county official. We don't think that is right; the figure should be closer together. We studied and reviewed and hashed and rehashed the possibility of bringing the salaries closer together. Comparisons between other officials were brought out. I submit to you that the county officials are being underpaid; that a 7% increase to a present substandard salary is not sufficient by today's standards. We hope that sufficient consideration can be given to Senate Bill 50 to take care of the inequities, to provide a pay plan that can be a permanent pay plan and a plan that will allow for additional raises as the cost of living increases. Many members of the County Compensation Commission would be glad to come and work with either the House or Senate Committee in redoing the bill, drafting sufficient and appropriate amendments bringing the bill more in line with what was originally submitted by the County Compensation Board. This group offers the dedication and conscientious service of public servants who want to do a good job.

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They are well respected in their community or they would never have been elected. They are entitled to an adequate salary. Any employer, whether he be public or private, is shirking his duty if he is not paying his employees an adequate salary. The state and county are not paying an adequate salary to the dedicated and faithful employees.

JOE GOUTREID, fiscal officer for the Montana Association of Counties said he'd be brief. I want to take a position with the association that supports this bill. We know a lot of time and effort has gone into the writing of this bill and think it is something we can live with and the counties can afford.

I'm TOM HONZEL and I represent the Montana County Attorneys and am their registered lobbyist. MR. HONZEL said a couple of the amendments have already been addressed by MR. ROMINE. He requested amendments: Page 5, line 15, change the \$12,000 figure to \$2,000 and on Page 5, line 19 and page 6, line 1, change the \$36,500 figures to \$38,500. What we mean when we say a part-time county attorney is that he is allowed to have a private practice in addition to his duties as county attorney. I think the term part-time is misleading. One thing you should be aware of is that county attorneys are not county officials, but state officials. In addition we have duties for the State government. I believe the salaries request by the county attorneys are not unreasonable and hope you will give serious consideration to this bill.

CHARLES GRAVELEY, county attorney for Lewis & Clark County, handed out what he referred to as his written testimony, but asked to add a little more as to how this affects the county attorneys in Lewis and Clark County. You will note that the county attorneys' salaries range considerably from a low of 6.3% to a high of 43.6%. I am not attacking the much deserved raises for the elected officials. I am only asking that full-time county attorneys be treated on a comparable basis. The \$38,500 amendment that MR. HONZEL refers to will grant the full-time county attorney a 12.1% pay increase. If you will look at the 7% interest in traffic in each of the last two years and look at the inflation factor, you will find a net decrease in purchasing power of approximately 15% over the past two years. We are not asking that we be made whole as far as the inflation factor is concerned, but we want to be able to get better. If you will read the variations and the balance of the prepared report, you will see that full-time county attorneys support the bill with the amendments recommended by MR. HONZEL.

JOE ROBERTS, said he represents the County Treasurer's Association. We have two county treasurers who are going to be very brief and I'll try to do the same. I think the reason for applause after TOM McKEOWN'S testimony was because he gave a pretty good statement that all of us would like to subscribe to, so maybe that will save some testimony. Senate Bill 167 which was referred to earlier would have given county commissioners authority to set the salaries.

As you know, there is substantial disagreement on that and opposition from many county groups. I don't believe Senate Bill 50 got the scrutiny it should have had in the Senate because Senate Bill 167 was being held over its head, either take what we're going to give you in SB 50 or else you'll get SB 167. Those salaries, which will not be increased according to the new formula but just by applying a percentage figure of that 7%, are woefully inadequate. With inflation being what it is, 12% should be used for those computations.

I'm GLORIA PALADICHUK, Richland County Treasurer. The city clerk and the school district clerk make more salary than I do. Even under Senate Bill 50 they still would make more than I do. A city clerk makes \$15,510 and school clerks \$24,505. I want to remind you that their salaries are paid by taxpayers, as are county officials. I also would like to defend the counties that have a small population and high tax valuation. Richland County is listed at 12,200 population. We have people moving in every day, yet this doesn't affect the population count. There are 8,171 laws we must comply with.

I'm CHARLIE FRAZIER, County Treasurer and Superintendent of Schools for Wheatland County. I'm basically representing the smaller, sixth class counties. I can't see where any progress has been made from what it was in the past. My salary at the present time for both offices is approximately \$11,500. I have one deputy and one clerk that I am sure of having for the rest of the year. All of the salaries in our county total approximately \$90,000. We expended possibly \$2,240,000 last year in our county and our salaries amounted to less than 4% of that. I say that the treasurers in the small counties, large and in between are charged with basically the same duties and we should expect the same base pay. If all salaries started at the base wage, the increase in our county would be about \$14,000 total which is less than 1%. I urge that you give favorable consideration to Senate Bill 50.

I'm JOHN SCULLY and I'm representing the Montana Sheriffs and Peace Officers Association. You are going to have to make a basic underlying decision even here. There are two ways for us to get uniformity at the state level in terms of salaries.

1. We have uniform collective bargaining for public employees or,
2. We can go through the painful process each year of coming to the legislature and having you set yours and other elected officials salaries at the state level. I feel that this alternative of having the legislature set the salaries is still better in achieving uniformity. You must arrive at the uniform level for us. If we put the salary decisions back on the county level, we'll have the same kind of situation that REPRESENTATIVE McBRIDE talked to you about in Butte over the inequities among the fight between county officials. We'd like to see you take out the discretionary ability of the local government and take out the 70% discretion. I don't think that will provide any uniformity. It will inch itself along the line where someone in one county does the same thing but is not

getting the same salary. Our position is that you must have uniformity. Secondly, we are here at the state level and what better place is there to apply the uniformity in terms of cost of living. There are thousands of state employees that settled at 12%, yet this bill says the same type of employee at the local level can only have 7%. We have a responsibility in state government to pay the proper wage and increments in cost of living. If we were to allow that at the local level, they'd go from different percentages; some would pay 4%; some 8%; some 12% and some nothing. That is not fair. We support the 12% if that is what you are approving for everyone else. Also, I think you should stick to your basic premise. Let's try it once, and that is at the population increase. We've never done that before. The population obviously makes problems. To that end we will submit to you that you should raise the \$10 increment to \$15. We hope you will do away with the discretionary amount and go for percentages.

PAUL KELLER said he is a registered lobbyist representing the County Superintendents of Schools. I want to point out to you that in the bill county superintendents do get an extra \$400 over the base pay for the reason that they have to qualify. They must have the qualifications of a teacher. They need three years experience before they can run for office, so they are entitled to an additional increment. We support the bill with the amendment offered that there will be a salary increment each year and that it shall be not less than 70%.

DALE DYE, said he is sheriff of Ravalli County. I have a couple of facts I'd like to bring to your attention in reference to a petition which was presented by MIKE STEPHEN for support from 7 western counties. Due to the fact that the elected officials have been dead-set against the commissioners having the authority to set salaries and they signed this. It was explained to them what they were signing but were given a blank sheet of paper which they all signed. The didn't fully understand that the commissioners had the discretionary power which is 70% of the cost of living increase to go from zero to 70%. They thought they were signing that it would go from 70% of the cost of living to a locked in 100%. RICK LATER, sheriff of Beaverhead County, said he'd like committee members to look above the black line on the first page of the hand out at the elected officials salaries, and also look at the salaries below the black line and he feels it is a sad deal when the janitors make a couple thousand dollars more than the elected officials. Please look at the other handouts too. I support Senate Bill 50.

SHERIFF AL RIERSON from Kalispell said there have been many of you today who expressed that we are at the crossroads of integrity and courage to meet the challenge ahead of us. We have a challenge which we must meet or we will have a lot of chaos in an orderly society. In our county, looking at the budget costs and taking the cost per

day for the population, it cost 5.4 cents per day for each person in our county, which is almost nothing. Looking at 2 cigarettes, the cost is 7.4 cents. A newspaper is 25 cents and a cup of coffee is normally about 35 cents and a bottle of beer 90 cents. My monthly net salary is \$1,079, and a secretary at Anaconda Aluminum Company who works three years gets more salary than I do. (For additional information, see written testimony attached and made a part of these minutes.)

ROSEMARY TONN said she is a Gallatin County Commissioner. I just want to say that we support Senate Bill 50.

JOHN ONSTAD said he is sheriff of Gallatin County and President of the Montana Peace Officers Association. I would like to ask the sheriffs and deputy officers that are affected by this proposed bill to stand. A large group stood, and CHAIRMAN BERTELSEN said he never felt so well protected.

MARY SVARE said she is treasurer of Toole County. I would like to thank everyone who testified today and made depositions. She asked the 8 members of the commission to stand up and be recognized.

SENATOR McCALLUM closed. He said he appreciates the consideration that the committee has given to the people who came here today. It is a hard task and I wish you well. I am sure that the House will use their good common sense and come up with a bill that these people will be happy with.

REPRESENTATIVE SALES asked a question of any coroner present: Last session the county coroners agreed to have their salary set at the local level because they felt there was such a tremendous difference in the qualifications of the people from county to county. They agreed it should be done that way, and yet I see something in this bill that sets out a whole program for the coroners. Can you tell me why?

ANSWER: I never went into this. I can only say that if you work coroner cases, it takes a minimum of 7 to 8 hours and some times 3 to 4 days or more to complete a case. In our county we work about 100 cases or more a year. I think full-time coroners should be compensated for the work involved. It takes a lot of work and a lot of knowledge to dispose of a case.

REPRESENTATIVE SALES asked SENATOR McCALLUM why it is back in the bill?

SENATOR McCALLUM asked SHERIFF HAMMERMEISTER to reply.

SHERIFF HAMMERMEISTER said the coroners definitely did come in and ask for the part that was passed in the Senate, with one minor change. In counties over 30,000 instead of the coroner being full-time and receiving full salary, he is put in at the discretion of that part. The basic reason for this was that the coroners were not happy with the compensation as it was being set at the local level. Some of them literally got nothing, but some got paid quite decently. In fact the chairman of the Coroners Association is the highest paid coroner in Montana.

REP. PISTORIA said he'd like to know what the amendments were offered. He asked John Scully to reply.

JOHN SCULLY said the one he touched on was the 7% cost of living increment applying back to the base salary or to the last year's salary. He feels the cost of living increment should apply to the past year's salary and that it should be 12% rather than 7%, due to the fact that state employees bargaining are now at about the 12% figure. The second amendment was that he believed the 70% discretionary part would not be based on discretion at the local level.

REP. MATSKO for Sheriff Hammermeister: On page 9, line 2 where the bill has been considerably amended and speaks about the base salary of \$14,000, the \$14,000 is scratched and 100% is scratched and not more than 70% is in there. What was the intent of the committee that drafted this legislation as to what the base salary and the percentage should be?

SHERIFF HAMMERMEISTER: The intent of the County Compensation Board was that the base for all elected officials starts out at the \$14,000 figure. We also want this cost of living to be kept so that the smallest county would get exactly the same cost of living raise as the largest county. A person who gets paid a good salary gets a high increase on a percentage basis, but a person who is paid nothing and you get a percentage of that you still get nothing. They average out all the monies for cost of living and give everyone the same amount of dollars. That was the intent. By basing the cost of living of one specific figure, \$14,000, then every county official would get the same amount of cost of living increase.

REP. DUSSAULT for SHERIFF HAMMERMEISTER: How would you feel about setting the cost of living percentage at a maximum of 70%?

SHERIFF HAMMERMEISTER said that would be acceptable, because then it is set by statute.

REP. ANDREASON for Mr. Hammermeister: I want to make sure in my mind whether you would not object to a statement not less than 70%?

SHERIFF HAMMERMEISTER replied that Rep. Dussault made the comment that she didn't agree with the discretionary figure but liked the fact that not less than 70% was a little better. It was reduced from 100% to 70% for the reasons given by Senator McCallum. We would agree with fixing it at the state law.

REP. SALES asked the Chairman of the Compensation Board to reply to the following question: On page 7, line 20 where it says "PLUS \$2,500," did the Compensation Board put that in, or who did that?

ANSWER: Is this the \$2,500 for the commissioners? Rep. Sales replied yes. The person answering then said this was not put in by the County Compensation Board. It was done on the floor of the Senate.

CHAIRMAN BERTELSEN mentioned the committee has another hearing scheduled at 2 p.m., at the other building. He closed the hearing on Senate Bill 50 and asked committee members to take their material with them.

SENATE BILL 353 - sponsored by Senator Max Conover.

SENATOR CONOVER said this is a bill to provide for the auction of junk vehicles by the counties. It gives counties the right to hold an auction sale after the vehicles have been collected. He passed out written testimony regarding the contents of the bill, as well as written testimony regarding the fiscal note. (The written testimony is attached to and made a part of the minutes.)

PROPOSERS FOR SENATE BILL 353

WILLIAM ROMINE represented the Wrecking Yard Association. He said they support Senate Bill 353 and presented written testimony which is attached to and made a part of these minutes.

OPPOSERS TO SENATE BILL 353

LARRY MITCHELL represented the Solid Waste Bureau of the Department of Health. He said they are not really opposing the bill or supporting it. The no-selling provision in the bill at the present time was put in as a rule of the department, primarily to keep them from competing with the wrecking industry. At that time they didn't want people to be able to go in and be able to pick up parts in competition to them. If you want to change the rule, that is fine and we can't really protect that anymore. I am not sure that the type of auction you are talking about will bring in the revenue you are hoping for. The vehicles in these yards are the ones that the wrecking industry doesn't usually collect because they are not economically valuable enough to go out and haul in. It might be a bigger headache for the county that has to administer the auction. We would suggest

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NAME William L. Romaine BILL No. S.B. 50
ADDRESS P.O. Box 1691 Helena DATE 3-12-81
WHOM DO YOU REPRESENT Clerk & Recorders
SUPPORT X OPPOSE AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: the association supports the basic approach of S.B. 50. However, it does urge the committee to set up three base salary ~~classes~~ ^{classes}. \$14,000 for 1st & 2nd & 3rd class counties. \$13,000 for 4th & 5th class counties and \$12,000 for 6th & 7th class counties. There sufficient population differences between 4th & 5th as opposed to 6th & 7th class counties to justify this different treatment.

The association also believes that the cost of living increase in 1982 should be based upon the actual salary paid and not upon the base salary alone. Otherwise, there could be some instances where no salary increase would occur.

Finally, the association urges the committee to change the cost of living increase to read not less than 70% the consumer price index, rather than not more than 70%. If the county commissioners wish to set salaries in the future, we should not get tied on how high they may go.

Testimony
Senate Bill 50

To: The Honorable members of the Montana House of Representatives Local Government Committee

Mr. Chairman and Members of the Committee:

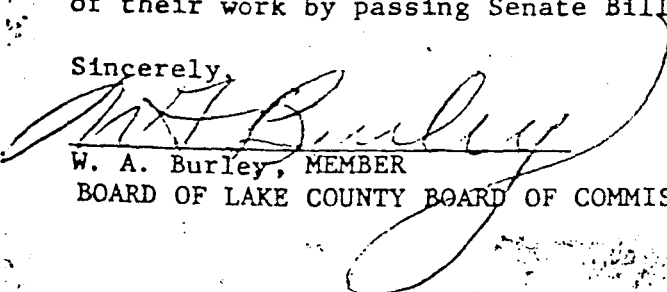
Before you for your consideration is Senate Bill 50, a comprehensive salary bill for county elected officials. This bill resulted from the efforts of the local Government Salary Commission created during the previous legislative session. It represents many hours of hard work, compromise and co-operation between all branches of local elected officials.

Support for this measure is widespread. Last Friday, March 6, 1981, elected officials from Flathead, Lake, Lincoln, Mineral, Missoula, Ravalli and Sanders counties met in Polson. Of those attending, 100% supported Senate Bill 50 as evidenced by their signatures on the petition attached to this testimony. I have no doubt that similar support exists with those officials in the seven county area who were unable to attend this meeting, as well as those throughout the entire state.

We do recommend an amendment to allow the governing body to increase salaries in yearly increments up to 100% of the consumer price index instead of 70% as currently proposed.

With the exception of this one amendment, I urge your committee to pass favorably on this bill. Co-operation among elected officials and their associations has rarely been as positive. The concept of the Local Government Salary Commission has worked. It has provided a basis for future unity among county officials. We wish to thank the legislature for their creation of this committee and encourage your acceptance of their work by passing Senate Bill 50 with the recommended amendments.

Sincerely,



W. A. Burley, MEMBER
BOARD OF LAKE COUNTY BOARD OF COMMISSIONERS

of the said man shall be assumed by the said county, provided.

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SB 50 (Salaries) - Using Final Census Figures

County	Class	Population	Full-Time Commissioners Base + \$2500	Sheriff Base + \$2000	Full-Time Co. Atty.	Part-Time Atty. Base + \$1200	Other Officials Base Salary	School Supt. Base + \$400	Coroner over 30,000 pop. \$14,000 + pop.
Cascade	1	80,700	\$24,570	\$24,070	\$36,500		\$22,070	\$22,470	\$22,070 (FT)
Flathead	1	52,000	\$21,700	\$21,200	\$36,500		\$19,200	\$19,600	\$19,200 (FT)
Gallatin	1	42,900	\$20,790	\$20,290	\$36,500		\$18,290	\$18,690	\$18,290 (FT)
Lewis & Clark	1	43,000	\$20,800	\$20,300	\$36,500		\$18,300	\$18,700	\$18,300 (FT)
Missoula	1	76,000	\$24,100	\$23,600	\$36,500		\$21,600	\$22,000	\$21,600 (FT)
Yellowstone	1	108,000	\$27,300	\$26,800	\$36,500		\$24,800	\$25,200	\$24,800 (FT)
Hill	2	17,900	\$18,290	\$17,790		\$16,990	\$15,790	\$16,190	\$1790 + \$1200 (\$2290 PT)
Petroleum	7	700	\$50/day	\$14,140		\$13,340	\$12,140	\$12,540	\$140 + \$300 (\$440 PT)
Dawson	3	11,800	\$17,680	\$17,180		\$16,380	\$15,180	\$15,580	\$1180 + \$600 (\$1780 PT)
Garfield	6	1,700	\$50/day	\$14,340		\$13,540	\$12,340	\$12,740	\$340 + \$300 (\$640 PT)
Carter	6	1,800	\$50/day	\$14,360		\$13,560	\$12,360	\$12,760	\$360 + \$300 (\$660 PT)
Treasure	7	1,000	\$50/day	\$14,200		\$13,400	\$12,200	\$12,600	\$200 + \$300 (\$500 PT)
Madison	4	5,400	\$15,828	\$15,328	\$36,500		\$13,328	\$13,728	\$1,328 + \$600 (\$1,928 PT)
Jefferson	5	7,000	\$50/day	\$15,489		\$14,689	\$13,489	\$13,889	\$1,489 + \$600 (\$2,089 PT)
Teton	4	6,500	\$16,104	\$15,604		\$14,804	\$13,604	\$14,004	\$1,604 + \$600 (\$2,204 PT)

Class 1-3 counties = \$14,000 base + \$10/100 population

Class 4-7 counties = \$12,000 base + \$20/100 population

Part-time county commissioners = \$50 per day

Coroners: over 30,000 population may be full time with \$14,000 base + population increments

15,000 - 30,000 pop. \$1200 plus pop. increments

5,000 - 15,000 pop. \$600 plus pop. increments

less than 5,000 \$300 plus pop. increments

BE IT FURTHER RESOLVED that maintenance of the said road shall be assumed by Beaverhead County, Montana, and,

BE IT FURTHER RESOLVED, that within ten (10) days of the date of this resolution, the County Clerk and Recorder shall cause written notice of this decision of the Board of County Commissioners to be sent by certified mail, to all owners of land abutting on the herein described road pursuant to the provision of Section 7-14-2604, M.C.A.

Passed and approved this 16th day of June, 1980.

Discussion was held regarding the collection of junk cars in order to use the funds from the State. It was decided to contact the County Attorney about employing someone as a County employee to haul these cars.

IT IT HEREBY RESOLVED by the County Commissioners that the salaries for all County elected officials, appointed officials and their respective employees shall be as follows:

County Attorney	14,579.16	
Sheriff	14,579.16	
Clerk & Recorder, Treasurer, Clerk of Court	13,205.28	
Superintendent of Schools	13,663.24	
Undersheriff	13,850.20	
Deputy Sheriffs	13,121.24	
Road Foremen	19,260.00	
Regular Road Employees	16,050.00	
Shop Mechanic	18,618.00	
Extra Road Employees	46.00	per day
Extra Operators (Dozers, Cans)	63.00	per day
County Extension Agent	8,500.00	
County Nurse	10,272.00	
County Sanitarian	17,484.60	
Custodian-Buildings	15,408.00	
Custodian-Boiler	4,494.00	
Custodian-County Yards	3,434.70	
Food Stamp Clerk	3,600.00	
County Attorney Steno	11,556.00	
Planning Director	18,600.00	
Civil Defense Director	3,531.00	
Dispatchers	8,885.28	
Chief Dispatcher	9,309.00	
Janitor Part Time	11,556.00	
Cook	7,383.00	
Coroner	1,200.00	
County Health Officer	600.00	
Extra Help	3.50	per hour

Office Deputies and Assistants:

There will be a six month probationary period starting salary of \$600.00 per month. After the six month probationary period the officer in charge may advance the employee in pay to \$650.00 per month. An officer may be allowed a chief deputy to be paid 90% of the officer's salary if the deputy has at least three years experience in said office. Salaries for the fiscal year 1980-81 will be at a 7% increase.

Beaverhead
County
Dillon, Mt.
1980-81
Salaries

Check
1/16/81

FAMILY SIZE - INCOME SCALE FOR FREE

AND REDUCED PRICE MEALS

. This is the income scale used by Dillon Hot Lunch to determine eligibility for free and reduced price meals in the 1981 school year.

<u>Family Size</u>	<u>Free Income Guideline</u>			<u>Reduced Income Guideline</u>		
	<u>Year</u>	<u>Month</u>	<u>Week</u>	<u>Year</u>	<u>Month</u>	<u>Week</u>
One	5,700	475	110	8,350	696	161
Two	7,220	602	139	10,730	894	206
Three	8,750	729	168	13,110	1,093	252
Four	10,270	856	198	15,490	1,291	298
Five	11,800	983	227	17,870	1,489	344
Six	13,320	1,110	256	20,250	1,688	389
Seven	14,850	1,238	286	22,620	1,885	435
Eight	16,370	1,364	315	25,000	2,083	481
Each additional Family Member	1,530	128	29	2,380	198	46

Montana Standard 3-4-81 Republican tax breaks stumble over estimates

By STEVE SHIRLEY

Standard State Bureau

HELENA — New revenue and spending estimates released Tuesday indicate the Republican legislative majority may have a tough time providing the \$107 million in tax relief it proposed in January.

But, the estimates still don't seem to answer the question of how much money will be available for tax relief.

Republican leaders said Tuesday they believe the state will get \$630 million in general fund revenue in fiscal 1982-83. They also said the tentative spending level for state programs in the next biennium is \$546 million.

Later, at least one GOP leader acknowledged they were mistaken in saying the \$546 million spending level included 9 percent pay raises for state employees — because it didn't include any pay raise.

Many legislators have indicated they may give state employees a 12

percent pay boost. If 12 percent is figured in, the actual state spending level for the next biennium would be closer to \$600 million. That figure also doesn't include any money for one-time projects over and above the regular state budget. One estimate is that there are requests for \$100 million worth of such projects.

During a news conference, House Speaker Bob Marks, R-Clancy, said

(Related story on Page 2)

Republicans hope to provide \$72 million in tax relief in addition to \$35 million provided by the tax-indexing Initiative 86 passed last fall.

But, after discovering the \$546 million spending figure didn't include pay hikes, Marks conceded it would be difficult to enact the \$107 million tax package. He added that it's difficult to say exactly what can be obtained because the revenue estimates are tentative and the spending levels are not determined.

Senate President Jean Turnage,

R-Polson, also said it's difficult to tell whether Republicans can provide all \$107 million in tax relief because spending and revenue figures fluctuate so much. "It may not be possible to get all of it," he said.

House Taxation Committee Chairman Ken Nordtvedt, R-Bozeman, said he thinks the state will get \$645 million in revenue in the next biennium. And, he said the Legislature should not spend any more than \$580 million if it is to stop the excessive growth of state government.

A third — and substantially lower — revenue estimate has been made by Dave Lewis, budget director for Gov. Ted Schwinden, who believes the state will receive only \$590 million for the biennium.

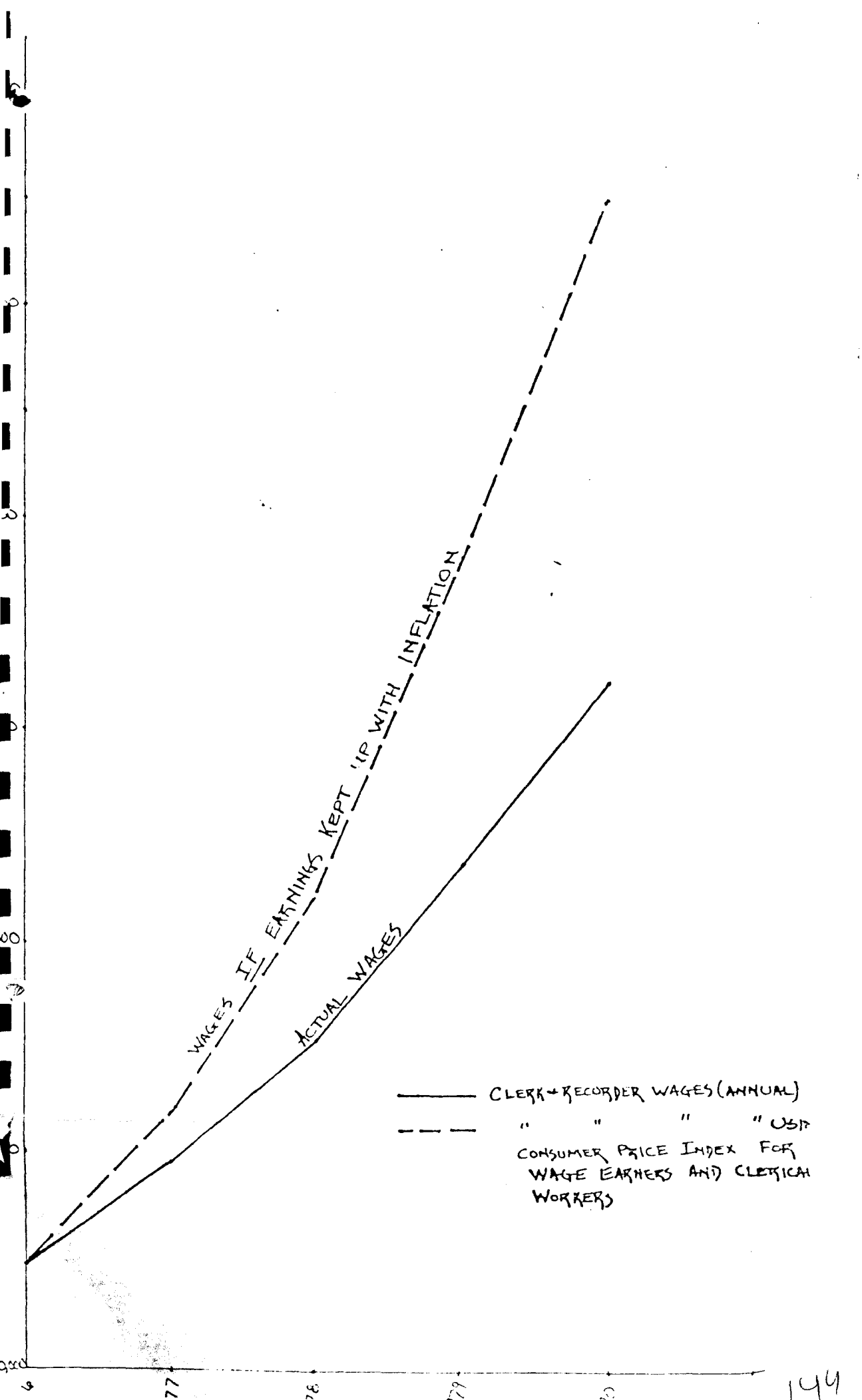
Lewis said he thinks the Republicans are "absolutely trapped" because they can't provide tax relief they've pledged and still fund state programs at promised levels. "They only way they can get out of

this is to commit themselves to spending the interest on the coal tax trust fund and raising the gas tax," he said.

Lewis said Schwinden proposes using about 90 percent of the coal tax money — there is about \$35 million — for highway construction. He said that would be best because the program can be shut down easily if Congress or the courts invalidate the coal tax. He said the governor won't request an increase in the gas tax.

Both Lewis and Marks said they think the Legislature will have to reduce spending levels proposed by appropriations subcommittees. These general fund spending levels have been proposed:

- Legislative, judicial and administrative: \$87 million.
- Human services: \$115 million.
- Natural resources: \$28.9 million.
- Institutions: \$96.7 million.
- Higher education: \$132 million.
- Other education: \$84.2 million.



NAME Walter E. Hyle BILL No. 5135-C
ADDRESS Barilla County DATE 3-12-51
WHOM DO YOU REPRESENT Shirley D
SUPPORT X OPPOSE AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: Locals elected officials in my county

That signed a blank piece of paper at
Polson had not read the Bill and did not
realize that the Commis. had discussion
from 0 to 70% and they thought they were
signing in favor of moving a locked in 70%
to 100% and they didn't realize this would
just move the discussion of the Commis.
from 0 to 70% to 0 to 100%

NAME Bill Brubaker BILL No. SB 50
ADDRESS Broadview Mt DATE 3-12-81
WHOM DO YOU REPRESENT Salmon River
SUPPORT _____ OPPOSE 6 AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: We support the Bill
but we have one amendment which gives
a different base + population for 4+ 5 class
counties, which is \$13,000 + \$15 per 100 population.

from Judge County
AB 50

I have been asked by the County Attorneys' Association to offer testimony to you on Senate Bill No. 50 and its effects upon the full time county attorneys. The first thing you must be aware of is that the bill, in its present form, is very misleading. It appears in reading the bill that full time county attorneys are currently being paid \$30,000. and will receive a \$6,500. pay increase if the bill is passed in its present form. Such, however, is not the case. In 1977, the salary of full time county attorneys was set at \$30,000. In 1979, we received a seven percent (7%) increase to \$32,100. and in 1980 that was increased by seven percent (7%) to \$34,347., the rate at which we are paid today. The increase in salary for the past two years has barely equaled one-half of the inflation rate. That has resulted in a net decrease in purchasing power of fifteen percent (15%) in the last two years alone.

The full time county attorney must meet certain requirements before he can hold the office. He must have resided in the state for two years and have been admitted to practice for at least five years before the date of election. The same qualifications apply to District Court Judges, Supreme Court Judges and the Attorney General. Those provisions were adopted so, presumably, only "qualified" lawyers would hold the position. Any attorney worth his salt, with five or more years of experience, is earning in the neighborhood of \$45,000.-50,000.

Let's take a look at what this bill, if enacted in its present form, would mean for elected officials of Lewis and Clark County.

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ELECTED OFFICIALS SALARY

<u>Position</u>	<u>Present Salary</u>	<u>Proposed by S.B. 50</u>	<u>% Increase</u>
Co. Commissioners	\$16,090.80	\$20,810.00	29.3%
Clerk & Recorder	16,090.80	18,310.00	13.8%
Clerk of Court	16,090.80	18,310.00	13.8%
Treasurer	16,090.80	18,310.00	13.8%
Auditor	16,090.80	18,310.00	13.8%
Supt. of Schools	16,549.20	18,710.00	13.1%
Sheriff	17,464.20	20,710.00	16.3%
Coroner	12,749.04	18,310.00	43.6%
County Attorney	34,347.00	36,500.00	6.3%

By setting forth these salaries, I am by no means attacking the much deserved increases for the elected officials. I am, however, on behalf of all full time county attorneys, very upset that we are not being treated on the same footing as other elected officials. All we want is comparable treatment. We would be satisfied with the 13.8% increase now slated for others even though the amendment to \$38,500. will be only twelve percent (12%). If you increase the salaries for others, just treat us comparably.

Every session of the Legislature places added duties upon the county attorney. He should receive adequate compensation for performing those duties. Remember the requirements for holding the office - five years experience - and remember, all we want is to be treated on the same percentage increase level as others.

NAME Charles G. Gendley BILL No. SB-50
ADDRESS Helena DATE 3-12-81
WHOM DO YOU REPRESENT County Attorney
SUPPORT _____ OPPOSE _____ AMEND ☒

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Please see county attorney recommended changes and the attached prepared statement. The bill needs to be amended to treat the full time county attorney more equitably in comparison to raises recommended for other elected officials -

COUNTY COMPENSATION BOARD REPORT FOR SENATE BILL 50

The County Compensation Board was established by the 46th Legislature. It was a Senate Local Government Committee Bill SB 352. The members of the County Compensation Board are: Kathryn Humphrey, Clerk of District Court in Judith Basin County, Stanford, Montana, Glennadene Fereell, County Superintendent of Schools in Lake County, Polson, Montana, Bonnie Miller, Clerk and Recorder of Powell County, Deer Lodge, Montana, Willis McKeon, County Attorney of Phillips County, Malta, Montana, Sally Jo Price, County Assessor of Mineral County, Superior, Montana, Mary Westermarck-Svare, County Treasurer of Toole County, Shelby, Montana, William F. Brinkel, County Commissioner of Stillwater County, Columbus, Montana, and Walter L. Hammermeister, Sheriff of Pondera County, Conrad, Montana.

These board members were charged with 3 duties:

1. Review the compensation paid county elected officials in Montana; in reviewing compensation, the board shall consider the salaries paid in Montana, other states, and private enterprise and such other factors as may be pertinent to the board's duties;
2. Recommend to the 47th legislature, equitable statewide salaries for the various elected county officials, taking into consideration the duties, responsibilities, personal inconveniences, and other such factors the board considers to be pertinent; and
3. Recommend to the 47th legislature at least one plan for compensating elected county officials that would provide continuing, proper salaries and that would take into consideration cost-of-living factors or other significant factors the board feels may reduce the need for regular legislation setting the salaries of locally elected county officials.

Our first meeting was on November 9, 1979. All meetings were held in Helena. Bonnie Miller was elected Vice Chairperson and myself, Walter Hammermeister, Chairman. DCA helped us by supplying Janice Hoffman as Secretary and later all around handy woman, and Dave Anzenried also assisted. He presented a proposed work schedule. and we determined how we were going to proceed.

On January 18, 1980, we had material on possible Montana State Government's comparable positions. It was generally agreed that positions in state government are more specialized and departmentalized.

Each association prepared it's own job description and it turned out if the job was comparable to a state government job that the state job paid much more than the county position. The state still pays 50% more to as much as 200% more than our new proposed county salary in Senate Bill 50.

We looked at per capita income and average employee income, but, they included part-time employees and the unemployed as well.

We looked at Sales Marketing Management Survey of Buying power for 1979 and Editor and Publisher Effective Buying Income for 1979, which is used by different Montana businesses that do survey feasibility study projects. Those 2 sources showed Montana average estimated disposable income per household and median household effective buying income all for 1979 to be \$15,305.00 and \$13,483.00 respectively. Since both figures represented take home pay, we felt they must be based on most households having 2 wage earners and therefore, was probably unrealistic.

So that each Compensation Board member would better understand the job and duties and responsibilities and personal inconvenience of the other county elected officials' jobs, and so we could try and establish proper salary, we allowed each association or different elected official to make a presentation of their job duties, responsibilities, and personal inconveniences or other factors their association felt may be interesting. They were allowed a maximum time of 1 hour for presentation with $\frac{1}{2}$ hour for questions and answers. The Clerk and Recorder, County Attorneys, and County Superintendent of Schools were first, then, the Sheriffs, Clerks of Court, and County Assessors. We finished up by March 22nd, after a 2 day meeting with the Treasurers, County Commissioners, County Surveyors, Coroners, Auditors, and Justices of the Peace.

From these presentations and justifications that were presented later along with qualifications is why our Compensation Board later allowed additional compensation in Senate Bill 50 for the County Attorneys, Sheriffs, and Superintendents of Schools. All presentations

were typed out and all minutes of our meetings were typed and all meetings were tape-recorded and all recordings are still saved.

We compiled salaries of private enterprises and allowed testimony or input from private individuals. One in particular that comes to mind is a certified public accountant from Belgrade. He audits Gallatin, Madison, and Beaverhead Counties. He felt so strongly of his convictions that he came in to our meeting several times. He not only audits county government, but, private business and individual income tax. He felt that elected county officials were grossly underpaid when one considers their vast responsibilities and obligations.

It turned out that the responsibilities and obligations and duties of county elected officials far exceed the similar responsibilities and duties of state or private enterprise jobs of comparable salary.

In the meantime, we were trying to collect the salaries and how they were set for county elected officials of the 17 western states so that by our April 25th meeting we studied the salary of those states that replied. The ways other states set salary vary from state legislature doing it, as in Montana, to a formula taking into account the assessed valuation, the square miles and road miles in a county. Another state has a flat rate for various duties. If that county elected official does a specific job he gets paid a flat rate for that duty, and for each and every additional duty he performs he gets paid an additional rate for each and every duty.

One state has a county compensation board in each county and that board sets the elected officials' salary each year. Some states have the county commissioners set the salary in each county. The salary of county elected officials in other states vary from a few states that is comparable to Montana's present county elected officials salary to, I believe, a majority of states that are presently paying a salary that is similar to that salary our board is proposing for 1981 - 82 fiscal year in the Senate Bill 50.

It is interesting that in 1978 Idaho did an update on county salary. They compared salaries with counties of similar population of close states. They compared Utah, Oregon, Washington and Nevada. Even though Montana has the longest border with them, they uniquely did not use Montana salaries. We also asked John McEwen, the personnel classification

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specialist for the Department of Administration, to explain his procedure of classifying state salaries.

At our May 20th meeting, we established a tentative proposal of a base plus population increments on the idea of Senate Bill 50 and then didn't have any more meetings until August 15th, so that each compensation board member could survey their counterparts over the state either by letter or at each association convention or conference to try and determine if we had the support of our fellow elected county officials.

A few reasons why we possibly went to this type of a salary schedule is through the associations' presentation of job duties, that we decided work for county elected officials was related to people and the amount of people in a county, and that the present statute schedule varies between increments of individual taxable valuation of \$325.00 to as low as \$91.00, and the population schedule varies between an individual population increment of from \$336.00 to as low as \$91.00.

We also felt that the taxable valuation of counties was starting to fluctuate because of changes in what is being taxed and how much certain items are being taxed. We felt that if those characteristics continued that in time county government may be funded by some form entirely different than what we presently have.

At our August 15th meeting, we arrived at the \$14,000.00 base and the \$20.00 per 100 population increment. We had 3 meetings after and we discussed different figures and different plans each time, including allowing the county commissioners or a compensation board to set the salaries 30% above the base and population increments. These other ideas were always voted down and we always voted to retain the idea that makes up Senate Bill 50. From the earliest meetings on, we considered the fact that a few counties are presently at their absolute top mill levy for funding county government. We realized that if there was not any money available for any pay raise in some counties, then we just might as well save our time and stay home. However, we were mandated by the 46th Legislature to review and recommend proper salaries.

During various meetings, we realized and discussed the fact that for all the various county elected officials that a noticeable amount of their duties and responsibilities are

performed by county officials, only for and so that state government can function. Many of us felt that state government should accept more obligation to help fund county government. However, we were cautious of that idea because of the fear there may be some strings attached to the state government funding.

We feel that the \$14,000.00 base can be conservatively justified from the Department of Labor and Industry records showing Montana private non-agriculture industries' average hour earnings for over a year to be about \$6.42 per hour. (included in this average is motel mail \$6.42 per hour is what I understand the legislature is paying their clerks. The \$14,000.00 base in Senate Bill 50 is less than \$6.75 per hour. An elected county official with the duties and responsibilities they all have should certainly be worth more than 33¢ per hour or 5% more than the average private non-agricultural industries worker of Montana.

30 years ago many elected county offices were quite often held by nice people that needed the job. Today, county government is big business handling many, many thousands and millions of dollars. The duties and responsibilities have increased many times so that all county elected positions need people of above average capabilities.

At our September 15th meeting, due to most on our board wanting to keep the spread between the smallest counties and the largest counties salary closer together, we cut the population increments for counties over 30,000 population from \$20.00 per hundred to \$10.00 per hundred. That idea stood until our last meeting on November 17th when a county commissioner from the 2nd and 3rd largest counties and a person representing the largest county committed themselves to supporting all of Senate Bill 50 if we would increase the \$10.00 per 100 population up to \$15.00 per 100 population. For those commitments, our board raised the population increment for the counties with populations exceeding 30,000.

In Senate Bill 50, on page 7, line 21, is the recommended cost-of-living. When our board first approved the cost-of-living it was based on the regular elected officials' salary of base plus population.

At the next meeting, we cut the cost-of-living about in half. Then, after an October 22nd meeting of MACO with the representatives of some of the other elected officials' associations, we arrived at the cost-of-living as printed in Senate Bill 50. All 12 elected officials

are included for this cost-of-living. The J.P.s are tied in through the present law by the Clerk of Courts' salary, the full-time County Commissioners are tied in through the salary of the Clerk and Recorder, and the County Attorneys cost-of-living is the same, but, it is listed on Page 5, starting at line 16 of Senate Bill 50.

Our compensation board is conservative in that this cost-of-living is regressive. However, we do feel it complies with the mandate of the 46th Legislature that established this board, when it charged us to perform the 3 duties. This 3rd duty will reduce the need to regularly return to legislature to increase our county salaries.

This cost-of-living is regressive in that as long as inflation increases and the cost-of-living goes up, all county elected officials will slowly fall behind (some faster than others) because the cost-of-living percent increase or decrease is based each and every year thereafter on only the \$14,000.00 base even though the cost-of-living dollars do accumulate above the \$14,000.00 base. All county officials in all the counties will receive exactly the same number of dollars. Yellowstone County will get the same as Petroleum County and the county attorney and sheriff will receive the same increase as the assessor.

Yesterday our board met with the man that is instrumental in compiling the fiscal report attached to Senate Bill 50. He commented that for some officials (like sheriffs and county attorneys) and the larger counties, the projected cost-of-living is less money than taking a straight 7% pay increase as was done the last 2 years.

On Page 9, starting at line 5 of Senate Bill 50, is a grandfather clause for salaries. Since Senate Bill 50 does change the salary schedule and no longer uses a direct taxable formula, without this grandfather clause 2 counties would have taken a pay cut (due to presently a small population and large taxable valuation), The grandfather clause does affect 4 counties and it is in effect only for one fiscal year.

The most money and largest percent of money that is on the fiscal report is made up by the largest counties. So that you can see actual dollar increase, county by county, an officer of another association, I believe, will present to you a schedule that is similar to what our compensation board had to work from.

This fiscal report is not all an obligation upon the county because the state of Montana

pays the salary of the assessor, and that is listed on the fiscal report, but, the state also pays half the salary of the county attorney.

To assist this bill, the Sheriffs Association does have a salary bill for the deputy sheriffs that is a compliment to Senate Bill 50. Presently, only first, second and third class counties can vary the salary of their deputy sheriffs from 75% to 90%. All the other class counties must pay 90% of the sheriff's salary. Pending the appearance that Senate Bill may be passed, the sheriffs will present a deputy sheriffs bill that will allow the counties of from 0 - 15,000 population to pay the deputies 75% to 90% of the sheriff's salary, and counties with populations from 15,000 to 30,000 population pay 70% to 90%, counties from 30,000 to 60,000 population pay from 65% to 90%, and counties from 60,000 to 100,000 population to pay 60% to 90%, and counties over 100,000 population to pay from 55% to 90% of the sheriff's salary. We cannot let the deputy sheriff receive a smaller percent of pay unless we know we are getting a reasonable pay raise.

In closing, I wish to say county elected officials need Senate Bill 50 passed. My present average monthly take home pay is only \$134.00 more than my mother and father-in-laws' Social Security check.

I believe Senate Bill 50 is very conservative because in the majority of counties, the average elected official will still receive less salary (\$16,270.00) than the retirement pay of a Montana district court judge that was in the news yester, the 16th day of January, 1981.

Walter L. Hammermeister
Chairman of County Compensation Board
Sheriff of Powder Co.

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NAME Tom Horzel BILL No. SR 50
ADDRESS Helen DATE 3-12-81
WHOM DO YOU REPRESENT County Attorney
SUPPORT _____ OPPOSE _____ AMEND ✓

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME Kathryn A. Humphrey BILL No. S.B. 50
ADDRESS Box 307 Stanford, MT. 59479 DATE 3-12-1981
WHOM DO YOU REPRESENT City Salary Commission - Clerks of Court
SUPPORT ☒ OPPOSE ☐ AMEND ☒

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Senate version completely overlooks any future raises for part time County Commissioner. Salary Commission tied their salary in with percentage of Clerk & Recorders & thus increases would be taken care of.

all elected officials in Counties were "short-changed" by the Senate amendments.

Thank you for your sincere consideration of S.B. 50.

Laten

NAME Rick Laten BILL No. SB 50
ADDRESS 5 N. UTAH, Dillon, MT DATE 3-12-81
WHOM DO YOU REPRESENT Sioniff
SUPPORT _____ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME Wendell G. Kahn BILL No. SB-550
ADDRESS 204 1/2 Main, Broomfield DATE 3-18-81
WHOM DO YOU REPRESENT County of Broomfield Public Utilities
SUPPORT ✓ OPPOSE AMEND 11/

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

BEST COPY.
AVAILABLE

NAME

L John Onstad

BILL No.

SB 50

ADDRESS

319 W Main Bozeman

DATE

3-12-81

WHOM DO YOU REPRESENT

Sheriffs + Peace officers

SUPPORT

—

OPPOSE

AMEND

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PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

NAME Lilly Rose BILL No. SB50
ADDRESS Superior Mt 59872 DATE 8/12/81
WHOM DO YOU REPRESENT Comp Bd - Assessors Rep
SUPPORT ✓ OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: I only ask that you look at
all the data available with an open
mind - remembering that the
elected officials are people having
great responsibility - responsibility
that is the same no matter whether
they are from a class, or class of
county. Thank you for the many
hours of work you are going to put
in on this bill.

May I add that I know that if
you felt it to be necessary any
member of the Board will be very
glad to give you any assistance
they can.

NAME A. R. Rixson BILL No. Sent. Bill 50

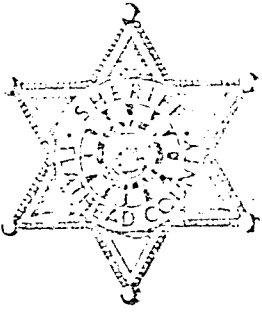
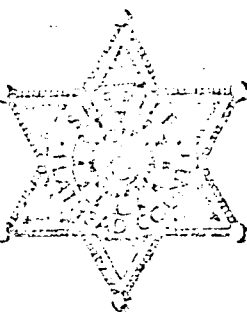
ADDRESS Railroad DATE 3-12-81

WHOM DO YOU REPRESENT Steviff

SUPPORT ☒ OPPOSE ☐ AMEND ☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:



AL C. RIERSON

SHERIFF-CORONER

BOX 1076 - PHONE 755-3691

KALISPELL, MONTANA 59901

TO: The Honorable members of the Montana House of Representatives
Local Government Committee

FROM: Sheriff Al Rierson

Mr. Chairman and Members of the Committee:

In reference to Senate Bill 50, I would like to express a few views on the need for an adequate salary for deputy sheriffs throughout the state of Montana. I speak in behalf of my own department, Flathead County Sheriff's Department. Currently, we have thirty-five sworn officers. Flathead is the largest in area of the six major counties. We are the third largest in population of the six major counties. Looking back over the years, we have only one officer who has stayed in the department for fifteen years out of the past twenty. The rest range from fourteen to two and three years in service. One of the principal reasons, of course, for this high turnover is the lack of an adequate salary. Losing a trained officer, with his schooling and two or three years of experience, is a cost of from \$15,000 to \$25,000 at least.

Following is a breakdown of one officer's monthly salary and his payments, for a family of three:

Take-home pay		\$ 945.52
Trailer payments	\$ 229.00	
Car Payments	145.00	
Furniture payments	70.00	
Trailer space	85.00	
Gas and care for vehicle	60.00	
Lights and heat	60.00	
Telephone	30.00	
TV cable	20.00	
Life Insurance	36.00	
Car License and ins.	50.00	785.00

Remainder, food and all misc. costs 160.52

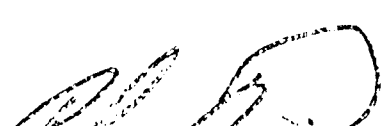
This particular officer has a hospital/doctor bill - over and above the insurance payments - of \$1200.

Also, remember that in 1975, the dollar bought \$1.00 worth of goods.

In 1980, the dollar buys .65 worth of goods.

In 1990, \$945.52 buys \$614.59 worth of goods.

This is a short summary to substantiate my plea to you for your support for an adequate salary for sheriffs and deputy sheriffs in Montana.



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NAME William L. Romine BILL No. S.B. 50
ADDRESS P.O. Box 1691 Helena DATE 3-12-81
WHOM DO YOU REPRESENT Clerk & Recordars
SUPPORT X OPPOSE AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: the association supports the basic approach of S.B. 50. However, it does urge the committee to set up three base salary ~~and~~ ~~salary~~ classes. \$14,000 for 1st 2nd & 3rd class counties. \$13,000 for 4th & 5th class counties, and \$12,000 for 6th & 7th class counties. There sufficient population differences between 4th & 5th as opposed to 6th & 7th class counties to justify this different treatment.

The association also believes that the cost of living increase in 1982 should be based upon the actual salary paid, and not upon the base salary alone. Otherwise, there could be some instances where no salary increase would occur.

Finally, the association urges the committee to change the cost of living increase to read not less than 70% the consumer price index, rather than not more than 70%. If the county commissioners wish to set salaries in the future, we should not get tied on how high they may go.

Proposed Amendments on S.B. 50, submitted by the Clerk & Records Assn

1. Amend page 4, third reading copy, after the word "OR" on Line 22, by inserting a new subparagraph (B), which would read as follows:

"(B) \$13,000 FOR COUNTIES OF THE FOURTH AND FIFTH CLASS
TO THE POPULATION INCREMENT OF \$15 PER 100 PERSONS OR MAJOR
FRACTION THEREOF INCLUDED IN THE COUNTY'S POPULATION AS
DETERMINED BY THE 1980 FEDERAL DECENNIAL CENSUS; OR"

2. Amend line 23, page 4 by striking (B) and inserting (C) and by striking the words "FOURTH THROUGH" and inserting "SIXTH AND".
3. Amend page 9, line 2 by striking the word "base" and also on Line 2 by striking the word "MORE" and inserting the word "LESS".

	1930 Population	Attorneys 45000/22,500	Sheriff 19,000 + pop	Superintendent 14,500 + pop	Other District Officials 14,000 + pop	Pop. Additive
Beaverhead	8200	22500	20640	16140	15640	1640
Big Horn	11100	22500	21220	16720	16220	2220
Blaine	7000	22500	20400	15900	15400	1400
Broadwater	3300	22500	19660	15160	14660	660
Carbon	8100	45000	20620	16120	15620	1620
Carter	1800	22500	19360	14860	14360	360
Cascade	80600	45000	32590	28090	27590	13590
Chouteau	6100	22500	20220	15720	15220	1220
Custer	13160	22500	21620	17120	16620	2620
Daniels	2800	22500	19560	15060	14560	560
Dawson	11900	22500	21380	16880	16380	2380
Deer Lodge	12500	45000	21500	17000	16500	2500
Fallon	3800	22500	19760	15260	14760	760
Fergus	13100	22500	21620	17120	16620	2620
Flathead	51500	45000	28225	23725	23225	9225
Gallatin	42800	45000	26920	22420	21920	7920
Garfield	1600	22500	19320	14820	14320	320
Glacier	9700	22500	20940	16440	15940	1940
Golden Valley	1000	22500	19200	14700	14200	200
Granite	2700	22500	19540	15040	14540	540
Hill	17900	22500	22580	18080	17580	3580
Jefferson	7000	22500	20400	15900	15400	1400
Judith Basin	2600	22500	19520	15020	14520	520
Lake	19100	22500	22820	18320	17820	3820
Lewis and Clark	43100	45000	26965	22465	21965	7965
Liberty	2300	22500	19460	14960	14460	460
Lincoln	17700	22500	22540	18040	17540	3540
Madison	2700	22500	19540	15040	14540	540
McCone	5400	22500	20080	15580	15080	1080
Meagher	2100	22500	19420	14920	14420	420
Mineral	3700	22500	19740	15240	14740	740
Missoula	75460	45000	31810	27310	26810	12810
Musselshell	4400	22500	19880	15380	14880	880
Park	13000	45000	21600	17100	16600	2600
Petroleum	1700	22500	19140	14640	14140	140
Phillips	5400	22500	20080	15580	15080	1080
Pondera	6700	22500	20340	15840	15340	1340
Powder River	2500	22500	19500	15000	14500	500
Powell	6900	22500	20380	15880	15380	1380
Prairie	1800	22500	19360	14860	14360	360
Ravalli	22400	45000	23480	18980	18480	4480
Richland	12200	22500	21440	16940	16440	2440
Roosevelt	10400	22500	21080	16580	16080	2080
Rosebud	10000	22500	21000	16500	16000	2000
Sanders	8600	45000	20720	16220	15720	1720
Sheridan	5400	22500	20080	15580	15080	1080
Silver Bow	37900	45000	26185	21685	21185	7185
Stillwater	5600	22500	20120	15620	15120	1120
Sweet Grass	3200	22500	19640	15140	14640	640
Teton	6500	22500	20300	15800	15300	1300
Toole	5600	22500	20120	15620	15120	1120
Treasure	1000	22500	19200	14700	14200	200
Valley	10200	22500	21040	16540	16040	2040
Wheatland	2400	22500	19480	14980	14480	480
Wibaux	1500	22500	19300	14800	14300	300
Yellowstone	107700	45000	36655	32155	31655	17655
Additive - P.P.			145290	145290	145290	145290
3452			104900	812000	784000	
			1069290	957290	929290	145290

County	CLASS	1980 Population	Percent Salary	3rd Reading SB 50 Salary 1981-82	1982-83
Beaverhead	4	8204	13.205	13,640	
Big Horn	1	11,083	15.313	15,110	*
Blaine	3	6990	13.234	14,700	
Broadwater	6	3263	11.589	12,660	
Carbon	3	8081	13.339	14,810	
Carter	6	1800	11.427	12,360	
Cascade	1	80637	19.440	22,060	
Chouteau	3	6090	13.163	14,610	
Custer	4	13,070	13.728	14,620	
Daniels	6	2826	11.696	12,560	
Dawson	3	11,850	13.713	15,190	
Deer Lodge	1	12,507	13.728	15,500	
Fallon	2	3769	13.563	14,380	
Fergus	3	13,052	13.982	15,310	
Flathood	1	51,462	16.809	19,150	
Gallatin	1	42,821	16.091	18,280	
Garfield	6	1649	11.321	12,320	
Glacier	2	9662	14.294	14,970	
Golden Valley	7	1017	10.678	12,200	
Granite	6	2691	10.948	12,540	
Hill	2	17931	14.685	15,790	
Jefferson	5	7040	12.607	13,400	
Judith Basin	6	2636	11.575	12,520	
Lake	3	19,098	14.236	15,910	
Lewis and Clark	1	43,053	16.090	18,310	
Liberty	5	2322	11.680	12,460	
Lincoln	3	17,731	13.982	15,770	
Madison	4	5437	12.456	13,080	
McCone	5	2707	11.680	12,540	
Meagher	6	2145	10.948?	12,420	
Mineral	6	3674	11.067	12,740	
Missoula	1	75,432	18.692	21,540	
Musselshell	5	4117	12.456	12,880	
Park	5	12,682	13.457	14,540	
Petroleum	7	657		12,120	
Phillips	4	5357	12.323	13,080	
Pondera	3	6735	13.332	13,340	14,670
Powder River	1	2523	15.269	14,250	*
Powell	5	6939	12.711	13,380	
Prairie	6	1833	10.948	12,360	
Ravalli	3	22,427	14.103	16,240	
Richland	2	12,225	14.296	15,220	
Roosevelt	3	10,446	13.847	15,040	
Rosebud	1	9915	17.093	14,990	*
Sanders	4	8559	13.205	13,720	
Sheridan	3	5391	12.712	14,540	
Silver Bow	1	37,930	16.269	17,790	
Stillwater	5	5597	12.323	13,120	
Sweet Grass	6	3211	11.589	12,640	
Teton	4	6485	12.714	13,300	
Toole	3	5568	12.965	14,560	
Treasure	7	981	10.681	12,200	
Valley	4	10,249	13.848	14,040	
Wheatland	6	2352	10.948	12,480	
Wibaux	6	1479	11.575	12,360	
Yellowstone	1	107,659	21.081	24,770	

Any increment dependent upon local governing body. (up to 70% of CPI - or none.)

Grandfather Clause* Applies

Get SB 50 for Actual wording and extra compensation for some offices

Sheriff = Salary plus \$200
 Supt. = Salary plus \$400
 County Attorney = \$36,500 full time; base salary plus \$1200 part time
 County commissioners = \$2500 per year; part time commissioners \$50 per day

Form 4256 Counties

SB 50 (amended)

State Publishing Co.
Helena, Montana

Class	Population	1980 Salary	Current Base Salary	Current Base Salary + 7% elected off.	Other
Beaverhead	4	8,200	\$ 13,205	\$ 14,129	\$13,640
Big Horn	1	11,100	15,313	16,385	15,110
Blaine	2	7,000	13,234	14,160	14,700
Broadwater	6	3,300	11,589	12,400	12,660
Carbon	3	8,100	13,339	14,273	14,810
Carter	6	1,800	11,427	12,227	12,360
Cascade	1	80,700	19,440	20,801	22,070
Chouteau	3	6,100	13,103	14,020	14,610
Custer	3	13,100	13,728	14,689	15,310
Daniels	6	2,800	11,696	12,515	12,560
Dawson	3	11,800	13,713	14,673	15,180
Deer Lodge	4	12,500	13,728	14,689	14,500
Fallon	2	3,800	13,563	14,512	14,380
Fergus	3	13,100	13,982	14,961	15,310
Flathead	1	52,000	16,809	17,986	19,200
Gallatin	1	42,900	16,091	17,217	18,290
Garfield	6	1,700	11,321	12,113	12,340
Glacier	2	9,700	14,297	15,298	14,970
Golden Valley	7	1,000	10,678	11,425	12,200
Granite	6	2,700	10,948	11,714	12,540
Hill	2	17,900	14,685	15,712	15,790
Jefferson	5	7,000	12,607	13,489	13,400
Judith Basin	5	2,600	11,575	12,385	12,520
Lake	3	19,100	14,236	15,233	15,910
Lewis and Clark	1	43,000	16,090	17,216	18,300
Liberty	4	2,300	11,680	12,498	12,460
Lincoln	3	17,800	13,982	14,961	15,780
Madison	4	5,400	12,456	13,328	13,080
McCone	5	2,700	11,680	12,498	12,540
Meagher	6	2,200	10,948	11,714	12,440
Mineral	7	3,700	11,067	11,842	12,740
Missoula	1	76,000	18,092	20,000	21,600
Musselshell	4	4,400	12,456	13,328	12,880
Park	4	12,700	13,457	14,399	14,540
Petroleum	7	700			12,140
Phillips	3	5,400	12,323	13,186	14,540
Pondera	3	6,700	13,234	14,160	14,670
Powder River	1	2,500	15,269	16,338	14,250
Powell	5	7,000	12,711	13,601	13,400
Prairie	6	1,800	10,948	11,714	12,360
Ravalli	3	22,500	14,103	15,090	16,250
Richland	1	12,200	14,296	15,297	15,220
Roosevelt	3	10,500	13,847	14,816	15,050
Rosebud	1	9,900	17,093	18,239	14,980
Sanders	4	8,700	13,205	14,129	13,740
Sheridan	2	5,400	12,712	13,602	14,540
Silver Bow	1	38,100	16,269	17,408	17,810
Stillwater	5	5,600	12,323	13,186	13,120
Sweet Grass	6	3,200	11,589	12,400	12,640
Teton	4	6,500	12,714	13,604	13,300
Toole	2	5,600	12,965	13,873	14,560
Treasure	7	1,000	10,681	11,429	12,200
Valley	3	10,300	13,848	14,817	15,030
Wheatland	6	2,400	10,949	11,714	12,480
Wibaux	5	1,500	11,575	12,385	12,300
Yellowstone	1	108,000	21,681	23,199	24,800

For each 10th year after the fiscal year beginning July 1, 1981, the latest federal decennial census statistics shall be the basis for computation of population increments under this section. During the intervening 9 years, the computation of population increments shall be based on the last calendar year's annual estimates of counties, populations compiled by the federal-state cooperative program for estimates of the university of Montana bureau of business and economic research and the U.S. bureau of the census or other estimate that the bureau of business and economic research may certify.

The county governing body shall by resolution, on or before July 1, 1982, and on or before July 1 of each year thereafter adjust and fix the salaries of (the elected officials) for cost-of-living increases by adding to the annual salary computed an increment calculated by applying to the annual base salary not more than 70% of the last previous calendar year's consumer price index for all urban consumers. The cost-of-living increment for the fiscal year beginning July 1, 1983, and for each subsequent fiscal year shall be added to all cost-of-living increments granted for previous years.

Class 3 - \$12,000 base + \$100 / 100 population
 Class 4-7 - \$12,000 base + \$100 / 100 population
 Sheriff - Salary plus \$2000
 Supt. - Salary plus \$400
 County Attorney - \$36,500 full time; base salary plus \$1200 part time
 County commissioners - \$2500 per year; part time commissioners \$50 per day

Form 4236 Counties

SB 50 (amended)

Class 465

State Publishing Co. Helena, Montana	Class	1980 Population	Current Base Salary	Current Base Salary + 7%	Other elected off.	Amended Base Salary	Increase Per Official
Beaverhead	4	8,200	\$ 13,205	\$ 14,129	\$13,640	\$14,230	\$101/year
Big Horn	1	11,100	15,313	16,385	15,110		
Blaine	2	7,000	13,234	14,160	14,700		
Broadwater	6	3,300	11,589	12,400	12,660		
Carbon	3	8,100	13,339	14,273	14,810		
Carter	6	1,800	11,427	12,227	12,360		
Cascade	1	80,700	19,440	20,801	22,070		
Chouteau	3	6,100	13,103	14,020	14,610		
Custer	3	13,100	13,728	14,689	15,310		
Daniels	6	2,800	11,696	12,515	12,560		
Dawson	3	11,800	13,713	14,673	15,180		
Deer Lodge	4	12,500	13,728	14,689	14,500	14,875	166/year
Fallon	2	3,800	13,563	14,512	14,380		
Fergus	3	13,100	13,982	14,961	15,310		
Flathead	1	52,000	16,809	17,986	19,200		
Gallatin	1	42,900	16,091	17,217	18,290		
Garfield	6	1,700	11,321	12,113	12,340		
Glacier	2	9,700	14,297	15,298	14,970		
Golden Valley	7	1,000	10,678	11,425	12,200		
Granite	6	2,700	10,948	11,714	12,540		
Hill	2	17,900	14,685	15,712	15,790		
Jefferson	5	7,000	12,607	13,489	13,400	14,050	561/year
Judith Basin	5	2,600	11,575	12,385	12,520	13,390	870/year
Lake	3	19,100	14,236	15,233	15,910		
Lewis and Clark	1	43,000	16,090	17,216	18,300		
Liberty	4	2,300	11,680	12,498	12,460	13,345	847/year
Lincoln	3	17,800	13,982	14,961	15,780		
Madison	4	5,400	12,456	13,328	13,080	13,810	482/year
McCone	5	2,700	11,680	12,498	12,540	13,405	865/year
Meagher	6	2,200	10,948	11,714	12,440		
Mineral	7	3,700	11,067	11,842	12,740		
Missoula	1	76,000	18,692	20,000	21,600		
Musselshell	4	4,400	12,456	13,328	12,880	13,660	332/year
Park	4	12,700	13,457	14,399	14,540	14,905	365/year
Petroleum	7	700			12,140		
Phillips	3	5,400	12,323	13,186	14,540		
Pondera	3	6,700	13,234	14,160	14,670		
Powder River	1	2,500	15,269	16,338	14,250		
Powell	5	7,000	12,711	13,601	13,400	14,050	449/year
Prairie	6	1,800	10,948	11,714	12,360		
Ravalli	3	22,500	14,103	15,090	16,250		
Richland	1	12,200	14,296	15,297	15,220		
Roosevelt	3	10,500	13,647	14,816	15,050		
Rosebud	1	9,900	17,093	18,239	14,990		
Sanders	4	8,700	13,205	14,129	13,740	14,305	176/year
Sheridan	2	5,400	12,712	13,602	14,540		
Silver Bow	1	38,100	16,269	17,408	17,810		
Stillwater	5	5,600	12,323	13,186	13,120	13,840	654/year
Sweet Grass	6	3,200	11,589	12,400	12,640		
Teton	4	6,500	12,714	13,604	13,300	13,975	371/year
Toole	2	5,600	12,965	13,873	14,560		
Treasure	7	1,000	10,681	11,429	12,200		
Valley	3	10,300	13,848	14,817	15,030		
Wheatland	6	2,400	10,948	11,714	12,480		
Wibaux	5	1,500	11,575	12,385	12,300	13,225	840/year
Yellowstone	1	108,000	21,681	23,199	24,800		

VISITORS' REGISTER

HOUSE _____ LOCAL GOVERNMENT _____ COMMITTEE _____

BILL _____ SENATE BILL 50 _____

Date March 12, 1981 12:30

SPONSOR SENATOR GEORGE McCallum _____

Old Highway Auditorium

NAME	RESIDENCE	REPRESENTING	SUPPORT	OPPO
Rick L. Tate	Dillon	Sheriff		
Loraine Sandestol	Bozeman	Clerk of Court	✓	
Laurie Kamp	Bozeman	Clerk of Court	✓	
Alana Belushi	Helena	Clerk District Court	with amendment	
Margaret Brown	Bozeman, ant	co. Capt	as amended	
Robert T. Hill	Helena	County Engr	as proposed	
Kelly J. Price	Superior	Bozeman	as amended	
Mary Jane	Shelby	Bozeman	"	
John Thompson	Helena	Bozeman	"	
Donna Hill	Helena	Bozeman	"	
Rick Korte	Dillon	Assessor	as amended	
Henry J. Hummer	Helena	Bozeman	as amended	
William J. Smith	Bozeman	Bozeman	as amended	
Biff Smith	Bozeman	Bozeman	as amended	
John Klined	L & C Co	Clk & Rec.	✓	
Lorraine McKittrick	County Virginia City	County Recorder	✓	
Jerence McKittrick	Cascade County	Clerk of Dist Court	✓	
Norman G. Bradford	Cascade County	Judge	-	
Bonnie J. Miller	Powell	Clk & Records	✓	
John M. Miller	Helena	Bozeman	✓	
Elon Hays	Helena	County Attorney	Amend	
Charles L. Dunsley	L & C County Atty	Co Atty	Amend	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

XXXXX HOUSE LOCAL GOVERNMENT COMMITTEE

BILL SENATE BILL 50

Date March 12, 1981 12:30

SPONSOR Senator George McCallum

Old Highway Auditorium

NAME	RESIDENCE	REPRESENTING	SUPPORT	OPPO
Christine Henth	BAKER	ASSESSOR	✓	
Arlyn Greydenus	Bozeman	Sheriffs	✓	
Bob Johnson	Bozeman	Sheriffs	✓	
Bruce Lybne	Bozeman	Sheriffs	✓	
W. H. H. H.	Kalispell	Sheriff	✓	
Jim Dupont	KALISPELL	SHERIFF	✓	
Richard Hawk	Kalispell	Sheriff	✓	
Jim McGill	KALISPELL	SHERIFF	✓	
Bill Daugherty	Bozeman	Sheriff	✓	
Walter H. H. H.	Bozeman	Sheriff	✓	
Walter Hammermeyer	Pondera	" "	✓	
Edna Brannon	MISSOULA County	Deputy Sheriff	✓	
Henry J. Smith	MISSOULA County	Deputy Sheriff	—	
J. Michael O'Hara	MISSOULA County	Deputy Sheriff	—	
Edward W. Jernison	MISSOULA	Deputy Sheriff	✓	
Chris Petty	Helena	MT. Sheriff + Peace Off	✓	
Chuck O'Reilly	Helena	" " " "	✓	
W. J. J. J.	Helena	Deputy Sheriff	✓	
MARIA E. JOHNSON	Sidney	Richard R. Sheriff	✓	
John E. Brant	Sidney	Richard R. Sheriff	✓	
Wife Schafra	Billings	Yellowstone Co. SO.	✓	
L. J. J. J.	Sevier	Daniel Co. SO.	—	
Donna J. J.	Wolf Point	undersheriff	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

COMMITTEE

LB 50

March 12, 198,

ONSOR

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LOCAL GOVERNMENT SUB-COMMITTEE MEETING
March 18, 1981

CHAIRMAN BERTELSEN appointed a committee composed of Reps. Walter Sales as chairman, Orren Vinger and Ann Mary Dussault to study and research Senate Bills 50, 84 and 175.

The meeting was called to order by Rep. Sales at 10:30 p.m. in room 129. In addition to sub-committee members present, various elected officials and their lobbyists were present.

The committee received input from these people, who provided additional information in connection with the different bills.

The sub-committee will meet again on Friday, March 20.

The meeting adjourned at 12:10 a.m.



Walter Sales, Chairman

hbm

VISITORS' REGISTER

HOUSE LOCAL GOVERNMENT COMMITTEE

RILL SENATE BILL 50

Date March 12, 1981

SPONSOR Senator George McCallum

Old Highway Auditorium

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

LOCAL GOVERNMENT SUBCOMMITTEE MEETING
March 20, 1981

The Local Government Subcommittee meeting Chaired by Rep. Sales was called to order at 10:30 a.m. on Friday, March 20, 1981, in room 129 of the Capitol, Helena, Montana.

Reps. Vinger and Dussault were present, as well as Lee Heiman, attorney from the Legislative Council staff.

CHAIRMAN SALES stated that the first thing is to take out the \$2,500 for the County Commissioner's salary in Senate Bill 50. We need to strike Lines 9 through 25 in their entirety regarding County Coroners and leave it is as the present law reads, leaving it up to the Local Government Body.

CHAIRMAN SALES stated that the County Attorney would be left as it. Regarding the Cost of Living on page 9, line 2, strike "not more than" and also strike "base". There is a 7% cost of living increase the first year and after that the 70% cost of living increase.

CHAIRMAN SALES suggested putting in "however upon election or reelection the salary would be established by the base".

MIKE STEPHEN, lobbyist for the Counties, stated that it would be a money saving feature. The only thing would be the commissioners who would be in office for six years.

REP. ORREN VINGER stated that he did not feel that he could support the reelection portion.

MIKE STEPHEN stated that it the one thing it does not do. This one sets it for the fiscal year beginning July 1, 1981.

REP. DUSSAULT stated that it would be the base plus the population plus the 70%. She asked when they calculate that population figure plus the base.

CHAIRMAN SALES stated it is done every year. He also commented that the 70% would be applied to their annual salary and not to the base.

REP. VINGER suggested that the base salaries be set at \$14,000 across the board.

CHAIRMAN SALES asked "what is the total number of elected officials?"

MIKE STEPHEN stated that in Lewis and Clark County there are 13 elected officials. This change would affect Petroleum, Golden, Granite, Treasure and Prairie Counties. He stated that he was against going up on the base. By doing that we will be trying to establish one rule and one for everyone.

REP. DUSSAULT pointed out that the counties do have other alternatives.

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LEE HEIMAN stated that the committee should strike on Page 4, line 18, "(A)" and "for counties of the first through third class." On line 22, strike ",or" through "AS DETERMINED BY THE", the rest of the subsection on Page 5, line 1.

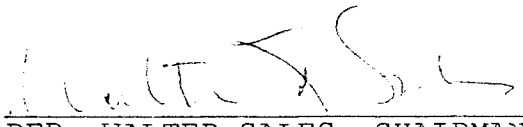
The Committee discussed the Superintendent of Schools in regard to the \$400.

LEE HEIMAN pointed out that on Page 9, Line 2 after striking "base", just put reference to salaries under 7-4-2503(1) and 2(c).

MIKE STEPHEN asked Rep. Dussault why Missoula does not have a chartered form of government?

REP. DUSSAULT stated that the County did try a City-County consolidation but it did not work. They are looking for other alternatives.

The meeting adjourned at 11:30 a.m.



REP. WALTER SALES, CHAIRMAN

pb

LOCAL GOVERNMENT COMMITTEE
March 26, 1981

The Local Government Committee met Thursday, March 26, 1981, at 12:30 p.m. in Room 103 of the Capitol. Chairman Bertelsen called the meeting to order and asked the secretary to call the roll. All committee members were present except Rep. Hurwitz who was absent. Staff Researcher Lee Heiman also attended the meeting.

SENATE BILL 291 - sponsored by Senator Tom Hager

SENATOR TOM HAGER said he is from District 30 in Yellowstone County. This is an act to authorize loans from the rural special improvement district revolving fund to fund emergency repairs in a rural special improvement district. This problem arises from where the city water lines extend from the city limits. Usually water lines last a long time but occasionally you get a break in them and when they break, they have to be fixed. The city has been taking care of the repairs on these lines but they have indicated they can no longer afford to do this. The county is trying to get an SID to finance the repairs. This bill will allow the county to get the loan from the revolving fund, pay for the repair and when taxes are levied the next time, they can levy a maintenance charge to reimburse the revolving fund.

PROponents FOR SENATE BILL 291

CLL ROMINE said he is representing the Clerk and Recorders. We support this bill. We feel it grants flexibility for emergency repairs. As Senator Hager said, it is not very practical or wise to maintain a large maintenance fund for possible emergency repairs on the lines. When they break, they must be fixed. If you have no source of funding available except for next year's levy, the contractors will not do the work. It does provide protection for bonds and a maximum of three years for repayment. We will not deplete the revolving fund at the expense of the maintenance fund. We hope we will give SB 291 favorable recommendation.

WILL KLUNDT said he is County Clerk and Recorder for Yellowstone County. He furnished written testimony supporting Senate Bill 291, and urged that it be given favorable consideration. (Mr. Klundt's testimony is attached to and made a part of these minutes)

CHAIRMAN BERTELSEN asked if there were further proponents for SB 291. There were none. He asked if there were any OPPONENTS and there were none. He then asked Senator Hager if he'd like to close.

SENATOR HAGER closed. He mentioned that the new language inserted on Page 2 by the committee was done at the request of Bruce McKenzie who worked on the bill.

The question was called on SB 291. The motion PASSED UNANIMOUSLY.

EXECUTIVE SESSION:

CHAIRMAN BERTELSEN pointed out what must be accomplished today and our restrictions. we have five other bills to be acted on. Three deal with salaries, one with disincorporation and one with the 5% revolving fund under SB 96. The numbers on the salary bills are SB 50, SB 84 and SB 175. Senate Bill 362 is disincorporation. It is my intention to act on these today. If necessary, we will go into session at 2:15 and if you want to go through third reading that is fine; but then we'll come back down and try to finish up.

SENATE BILL 50

CHAIRMAN BERTELSEN reminded committee members that Rep. Sales was chairman of the subcommittee to study the bill and make salary recommendations.

REP. SALES said that he, Reps. Vinger and Dussault met several times to study salaries. The first change the committee made was to delete the \$2,500 that Senator Pat Regan put in, so as the bill now stands, County Commissioners would receive the same salary as the Clerk and Recorders.

There is a large section in this bill dealing with coroners and trying to work them back into the system. After discussion, we ran into the same old problem because it varies so much from county to county. So we decided the best thing to do was go back to what was done last session and leave their salary strictly up to the County Commission and let them negotiate. So we are striking Section E.

The Superintendent of Schools will receive the same salary as the Clerk and Recorder plus the \$400.

The Sheriff will still receive the same salary as the Clerk and Recorder plus the \$2,000 per year. The \$2,000 was actually put in last session, but because of the way the bill was written, the Attorney General said that we made a mistake and the sheriffs' never did receive it. They received \$1,200 a year which was granted previously.

The part-time county attorneys' salary is being left as is. They receive the same salary as the Clerk and Recorder plus an extra \$1,200 per year. The county attorneys' salary was left at \$36,500. They are presently receiving \$34,350, so their increase in comparison to the others is in line. This is an increase of about 7-1/2%.

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In the section dealing with county commissioners, the \$2,500 has been restricken.

REP. KESSLER asked, "why are you doing this?"

REP. SALES replied the reasoning is that you are paying three people to do one man's work. They are already receiving the same salary everybody else is getting. Their duties as laid out in the codes are no more than are any other single elected official in the court house. There appears to be no justification for them to receive any higher salary.

REP. KESSLER then commented, "then you don't believe their responsibility or workload is any greater?"

REP. SALES: No, expecially when you spread it between three people. We felt we could get into a situation where we'd be paying out a large chunk of money if we are talking about them being the administrators of the total program for the county. If you really want to put them in that capacity, I think you'd have to get away from electing three people to do one person's job.

REP. BERGENE spoke in favor of the county commissioners receiving the increase. Their duties are tremendous and they should be treated the same as other county officials.

REP. KITSELMAN said he also feels strongly about this. Knowing what our county commissioners do, the \$2,500 is easily eaten up in incidental things they pay for out of their own pocket. Yellowstone County Commissioner is a full-time job.

REP. SALES said it depends on who is in office. You can make a full-time job out of it.

REP. KESSLER commented, if that is the case, I think attracting competent people to it would be enhanced or encouraged by a decent salary.

REP. SALES said we've found through experience that does not occur. The salary has no relationship whatsoever to the competence of the county commissioner. There are no qualifications whatsoever to start with and you will find that the very best, most qualified people serving as county commissioners are serving in the small counties on a part-time basis for practically nothing. Without question, their qualifications are much higher than those in the larger counties who are full-time people. I think that nearly everyone of them would agree.

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CHAIRMAN BERTELSEN commented that he was a county commissioner in a small county.

REP. SALES said "and I was a county commissioner in one of the larger counties and I argued then that we were being overpaid and they still are," but it is hard to pay them less than some of the other elected officials.

REP. SALES continued. The cost of living increment is discussed on page 8. There are several of us who are quite upset about having cost of living increments in any type of retirement or salary schedule. However, when you are using a 70% base, it takes the burn off a little. On page 9, you'll see the first year the salaries are set by the population schedule. No longer is there any evaluation at all, just population increments that are added to the base salary. You have \$10 per hundred population added on to \$14,000 to arrive at the salaries that apply to most elected officials, except the county attorney. The following year is when the cost of living increment will go into effect and they will get an automatic increase or decrease, depending on what the cost of living does, only it will be 70% of that. There is also a clause that if the application of 7-4-2503 does not qualify a county official for a salary increase of at least 7% on July 1, 1981, his salary on that date shall be increased by an amount sufficient to provide him a total salary equal to 7% more than during the previous year.

REP. HANNAH asked: Is that the annual increase by population?

REP. SALES said, no, but it can be figured annually. Figures released through the University and other sources allow salary increases if there are population increases.

REP. HANNAH: What about if it decreases?

REP. SALES said it doesn't apply. You cannot lower an elected official's salary during his term of office, but we can increase it.

REP. HANNAH said the reason he asked that is because in some of our highly impacted energy areas, such as Colstrip, the population used to be twenty people and has several hundred now. What I'm getting at is county commissioners in that area have a boom or bust type of situation where the population may leave again and no one wants to live there. Aren't we creating a situation where we would have a very highly paid county commissioner?

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REP. SALES said they would be paid that salary until the next election, as long as he is in office.

REP. HANNAH commented, then after the election, is it reestablished to what it should be.

REP. SALES said that is correct, it would then be reestablished on this schedule.

REP. HANNAH said: "You'll have a situation where perhaps over six years, one county commissioner would be doing the same job and receiving twice as much."

REP. SALES replied, "Yes."

CHAIRMAN BERTELSEN mentioned to Rep. Sales that he skipped the first part.

REP. SALES spoke regarding the \$14,000 base. The Senate provided for a break in population for classes of counties. They said that the lower class counties would start with a base of \$12,000 and the higher class counties would start with a base of \$14,000, but said the lower class counties starting with the base of \$12,000 would have a \$20 increase per 100 in population. They gave them a higher increment. Rep. Vinger fought strongly for the officials in the smaller counties, saying that the base should be established in relation to the duties that are prescribed by law to every Clerk and Recorder regardless of the size of the county, because all have certain responsibilities and the base should be the same regardless of the size of the county. Then applying the same \$10 increment for population to everybody would leave the small counties in an area where they may be getting \$10,000 or \$12,000 a year less than the ones in Yellowstone County. It was Orren's very strong feeling that the small counties should receive the same base salary because the duties and responsibilities delegated Clerk and Recorders are the same under the law as the one in the large counties. The large county may have 40 people working in the office but the small county could have one person on the payroll. In some of the smaller counties one person maybe doing the work of several of the offices. I think it was a good decision.

CHAIRMAN BERTELSEN asked Rep. Sales if he had any concern from smaller counties that they might not be able to meet the increment salary. I had a call from a commissioner last night in Big Timber and he was concerned about that problem, especially if they should lose federal fund money which is now available.

REP. SALES said some of the large counties are getting very large increases, a couple of them as high as 30%. But in dollars it doesn't amount to that much. As an example, Granite County has a population of 2,700. The commissioners are being paid \$11,000 now and this would raise them to \$14,270. Percentage-wise, that is a big increase. A \$14,000 base for that particular job does seem fair in relation to the overall picture.

REP. HANNAH: Can you tell me the rationale of why you went to the \$14,000 base for the fourth through seventh class counties?

REP. SALES said the idea was that the base should be the same in every county because the responsibilities and duties are the same. The committee stayed with \$14,000 because they thought that was a proper salary, and added the \$10 increment increase for every 100 increase in population.

REP. WALDRON: Then you took all the classes and put them on the \$10 per hundred.

REP. SALES said there are no longer any classes.

REP. WALDRON: Then everyone is at a \$14,000 base and the increment is \$10 per hundred of population.

REP. SALES commented we could get into trouble, if Yellowstone County should grow to 200,000. It doesn't work out too badly now, but if the counties keep growing, we will obviously be paying some people too much money under this schedule because you get to the point where a person is only worth so much for so many hours work and for so much responsibility.

REP. WALDRON said he'd like to compliment the subcommittee. They did a good job, but there are two areas that concern me. One is doing away with the \$2,500 increment for the county commissioners. I have gone to zoning meetings and other meetings and the county commissioners put up with a raft of complaints. They get called at night with complaints over which many times they have no control, and they have to deal with that day in and day out. The county commissioner is a full-time job, and it could mean day and night. The other item that bothers me considerably is fixing a set percentage of the Consumer Price Index, which is 70%. There are several problems I see with that. One of them is if there are problems in a county and you can only give your employees 50% of the Consumer Price Index, I think I'd have a good argument that they should get 70% of the CPI. You destroyed

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the flexibility of the county commissioners by setting that 70%. In some counties like Mineral County where a good deal of their revenue deals with the wood products industry, their revenue can fluctuate and has fluctuated wildly. If they are stuck with a \$14,000 base, that is going to hurt severely. But on top of that, if they are mandated to have a 70% CPI increase and no flexibility, you are going to cause the county some serious problems. I strongly urge this committee to go back to the original language that says "not more than 70%." That way the elected commissioners can make a determination on how much they want to increase salaries.

REP. VINGER: I think it is better to lock it at 70% so everybody will be getting the same and the people will know what kind of a raise they'll get. Hopefully, if this bill passed like it is, it is something that can go from year to year and you won't be in here every two years changing it. It will establish a positive base; it established an income per hundred capita; it establishes a direct percentage of the CPI, and it is all there. If you start leaving it flexible, it will be jumping here and there and you'll be back here again.

REP. WALDRON said he can see Rep. Vinger's viewpoint. I don't necessarily dispute it. All I'm saying is that if you have some budget problems in a county, then you should allow those county commissioners some flexibility to deal with that, for two reasons. First, the budget reasons and, secondly, you can't tell your employees in the county that they can only have 50% of the CPI because that is all you can afford, and turn around and give the elected officials 70% of the CPI.

REP. HANNAH said he agrees with Rep. Waldron 100%. I think what this committee has done with this bill is very important. It is heading in the direction where I think it should head and that is to allow the counties to deal with it locally. The vast discrepancy and disparities in size of counties has been discussed at length and I feel if we lock in this percentage of increase, it gives no recognition to the size of the state and the disparity in incomes. I think it is crazy and we should go with what Rep. Waldron is talking about.

REP. VINGER said he thinks the more we lock something in, the sooner it will get back to the county commissioners so they can set the salary for everybody. If we make it so it works too well, it is always going to remain here. I'd like to see it back in the hands of the county commissioners too where they set the salary for everybody. That should be their duty.

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REP. WALDRON asked the chairman if a motion would be appropriate?

The chairman replied yes.

REP. WALDRON MOVED that we reinsert the language which allows the county commissioners to set the cost of living increments up to 70%. One of the complaints we've had from various other county officials is that they are worried that two county commissioners could get upset with them and really put it to them on salaries. That is a valid complaint. But, as I understand the bill, if the county commissioners decide they are mad at the Clerk and Recorder and tell him he can only get a 20% cost of living increase based on the CPI, that applies to themselves as well. You are going to cut off your nose to spite your face if you are an avengeful set of county commissioners. I think it is important that we allow them that flexibility.

REP. MATSKO said he doesn't know about the commissioners in Missoula County, but I do know what they have said in Cascade County. They said that if there is an increment that can be given and left optional to the county commissioners from 0 to 70%, the percentage figure that will be used is zero percent. If it is 70% to 100%, the percentage figure that will be used is 70%. This is their policy. They have stated it and I think it is a policy of some other county commissioners. If they have an option due to the language in the bill two years ago, the \$2,000 was considered to be optional upon the county commissioners. They chose not to give the full \$2,000 and went to the base they had to give of \$1,200. This has happened before and it will happen again. Perhaps Rep. Waldron would like to see no raises for any elected county officials, because the salaries of all the deputy county attorneys and deputy clerks of the court are tied to the salary of the chief in the department. If the chief does not get the cost of living increase, neither do any of the employees. They cannot negotiate above and beyond that because they are locked into a percentage of their boss's salary. To do this would, in effect, deny any cost of living increase whatsoever to all the employees of the county.

REP. HANNAH: So far this session we have discussed half a dozen cost of living plans that were done years ago and have become a financial burden to everybody in the state. We had to go in and readjust them to make them actuarially sound. Faced with the fact that those problems almost invariably arise when you have a fixed cost increase, we're going to tell the counties who are financial losers this session anyway, as well as last session, that you have to pay them 70%. I think this is running 180 degrees away from what we're trying to do. If the county doesn't have the money and they can't give a cost of living increase, then what? They do one of two things. They will lose all of their people or they are going to figure out a way to come up with a cost of living increase. We should

not be guaranteeing what the cost of living increases are going to be to people, but say "you can do it up to a point" and let them go within that framework.

REP. GOULD said he would go on the Matsko side himself for the reason that Mr. Klundt mentioned in his testimony. I think the 70% should be left the way it is.

REP. MATSKO: Another thing that should be remembered is that with a 70% of the cost of living, if we're looking at a 12% cost of living, we're looking at slightly over an 8% increase in salary. This is what we're talking about in salary increase. They have consistently come in and gone through the entire session on both the floor of the House and the Senate and come up with a pay bill similar to what we've had since 1973. We've battled and fought and finally come out with about a 7% to 9% increase. Sometimes it's been a little more and sometimes a little less, but we've averaged about 8%. What you are doing here is removing that increase. If the cost of living goes down, as it may or may not, you are talking about a lesser increase. I think this is a fair system to work on; you are not talking about the full cost of living; you are talking about a percentage of it, which will amount to about an 8% increase for the elected officials and their appointed deputies.

REP. SALES said he is more in line with what you are suggesting than what we have in here, but the truth is that the only group affected by this bill who seem to think that should be discretionary is the county commissioners. All the other people involved think it should be set.

REP. WALDRON said he's on the Appropriations Committee and it is a funny thing. Those of us in that committee who have to make determinations on spending money seem to be the only ones concerned with how much money we are spending; otherwise you wouldn't have \$200,000,000 worth of requests when we only have \$3 to \$4 million to spend on bills still left. You bet the County Commissioners are concerned about it because they have to set the budget. The Clerk and Recorder doesn't have to do that. If it is said in law that the Clerk and Recorder gets paid 70% of the CPI, then the county commissioners have to lay off their road crew or sell one of their tractors in order to pay that Clerk and Recorder's salary. It is obvious they are not going to be concerned about spending the money; they don't have to do it; all they have to do is receive it. But the county commissioners are responsible for making those budget decisions.

CHAIRMAN BERTELSEN stated the motion on the floor is that we go back to the permissive CPI from zero to 70%.

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REP. DUSSAULT asked to speak to the motion. She said she'd like to speak against it for several reasons. I think the main reason is because this bill is not intended to allow the county commissioners to set salaries. That is a very important thing to keep in mind. Such a bill was killed in the Senate. The intent of this bill is to establish equitable salaries among those offices throughout the counties. Whether a person is a Clerk and Recorder in Yellowstone County or Wibaux County, there is some equity in their salary based upon this bill. There are incremental differences based on population. If you change that 70% of the CPI and make it discretionary either way, up to 70% or no more than 70%, what you've done is destroyed the very premise upon which this bill is based which is the equity provision. Year after year the same people will be coming back in here trying to reestablish their salaries, either on a competitive or an equitable level. I don't necessarily disagree that under certain conditions the county commissioners should set the salaries, but that is not what this bill was intended to do and you really undermine the intent by doing that.

REP. WALDRON commented that if we go with the straight 70%, eventually we'll have the same problem anyway. I've worked with enough contracts to understand what the problem is. When you start going on percentage increases, the people at the higher levels start spreading out from the people at the lower levels and eventually you've got a wide dollar disparity there. I don't think you can use the argument that if we pass a straight 70%, the elected officials won't be back in here, because I'm sure they will be.

REP. DUSSAULT: There is no question that regardless of what we do, elected officials will be back at some point. The question is at what point? I think it makes far more sense for us to assume that if we pass this bill, they will be back at some point questioning the cost of living increase they are receiving based on a base that makes some sense rather, than being back in here again in two years or four years because the equity of the whole system has deteriorated due to the continued adjustment in the cost of living. I'd rather see them come in on one issue which is the cost of living increment. At least with that \$14,000 base plus population increment, there is an equity that we can all argue and stand on. If we do anything with that 70%, we've lost that too.

QUESTION: The motion is to put the CPI back at a floating 70%. A roll call was taken, resulting in 11 committee members voting against, 6 voting for and 2 members absent. MOTION FAILED.

REP. WALDRON moved that we reinsert the \$2,500 increment for the county commissioners. I really think they deserve that additional amount. While the subcommittee considered special qualifications for office are unnecessary in determining increments such as the Superintendent of Public Schools having to be a teacher, I think there are some special things the county commissioners have to do while they are in office. They are required to make fiscal decisions on the entire operation of the county, and while they don't have complete administrative control over the county, they certainly have tremendous responsibilities as far as budgeting goes and raising revenue by taxing.

REP. VINGER said he will oppose that motion. In the subcommittee, when we took it out, there were no objections from the Association of Counties and some county commissioners themselves indicated to me that they don't think it should be in there.

REP. AZZARA said there is already an increment for the sheriff.

REP. SALES said yes, the same increment we gave them last session that they didn't get.

REP. AZZARA asked, "What is the difference between that justification and lack of it for the county commissioners?"

REP. SALES said he thinks that generally it has been accepted that the sheriff's position as the leading law enforcement officer in the county does involve a much greater personal responsibility in the handling of his troops on a 24-hour basis than the type of responsibility in carrying out the law and the direct contacts which he has. It has been pretty well accepted over the years that the sheriff's responsibility is one of the greater ones in the county. Getting back to the extra \$2,500 for the County Commissioners, if it was true that they set budgets and if it was true that they actually had that responsibility, I would be more inclined to go along with it. But in practice and as has been backed up by the courts, budgets are set in the various areas by the elected officials responsible for carrying out the duties in that area. If the commissioners try to tamper too much with the budget requested by the elected official, those county commissioners are going to get slapped down by the district court. They do set their own projects and have that responsibility more so than the commissioners do. As far as who gets hassled the most, that depends entirely on what is being hassled at the time. There isn't an elected official who doesn't get hassled 24 hours a day over problems that arise in relation to his office and duties. They are all tough jobs as far as working with the public is concerned, but that is part of the territory.

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REP. AZZARA to Rep. Sales: I've heard what you said, but I don't understand the distinction because I guess I don't look at the chief executive offices of the county in the same way you do. But if your argument is right, then I don't think the \$2,000 increment should be in there.

REP. SALES said all I'm doing is going along with what has been accepted.

REP. AZZARA said maybe that is the wrong thing to do.

REP. MATSKO: There is no other elected official in state government who has responsibility over complements of people where any member of that complement may have to decide in the next five seconds whether someone lives or dies. It comes down to that with the sheriff. You don't do that in the Clerk and Recorders office or in the county commissioner's office.

REP. WALDRON: There may be some firemen who could say the same thing, but I don't want to argue about the sheriff's salary because I don't have a problem with it. I do have a problem with Rep. Sales saying that county commissioners don't set budgets. They do set budgets, and if they tried to get a department, I think the court would stop them from doing that. If a Clerk and Recorder came in and said, "I need ten additional people and give them to me or else I'm going to go to court and the court will give them to me," most county commissioners will say "no way" and they won't do it and no court will require that the Clerk and Recorder have ten additional people. County Commissioners do make budget decisions and do have to make decisions on raising revenue. There is no other official in county government that does that.

REP. PISTORIA asked Chairman Bertelsen what he thinks about this.

CHAIRMAN BERTELSEN said he was a county commissioner when they got \$10 a day. This is way beyond my comprehension.

REP. NEUMAN said before we vote, I have to speak in favor of the substitute motion. I can't think of anywhere else where we don't pay our chief executive officer at least as much as we pay the people who work for him. I don't think it makes sense to pay the county commissioners less than you pay the sheriff.

REP. SALES said the real problem boils down to where we'd like to call them an administrative officer, but under the law they don't have that much responsibility or flexibility. They do have greater responsibilities in some areas. But you must consider

the fact that you are stuck with three of them. If there was one person and he had the responsibility that all three have, you'd probably be willing to pay him the \$50,000. But when you have to pay three of them \$30,000 a piece to make that single decision, you have an elective process and a representative process that requires that you have representation of that type. But you are going to end up paying way too much for what you are getting.

REP. KESSLER said you seem to feel, Walt, that if there are three of them, it makes the job easier. I don't think that is always true.

QUESTION: Motion was "Do we reinstate the additional \$2,500 additional for the County Commissioners?" A roll call vote was taken, resulting in the following: Of the 19 committee members, 11 voted yes; 6 voted no and 2 were absent. Those voting no included Reps. Bertelsen, Vinger, Hannah, Holliday, Sales and Switzer. Reps. Hurwitz and McBride were absent.
MOTION CARRIED.

REP. GOULD moved that the County Attorneys receive a \$3,500 annual increase in their salary. Rep. Gould said he feels that that in a first class county a full-time county attorney is worth as much as a judge. Really I'd like to see it at \$45,000 but in reality I know that would never fly in the Senate. I think that 10%, considering what inflation has done in the last two years, is a meager amount.

REP. HANNAH: I'd like to say it is sure easy to spend other people's money. I rebel against all of that. One of the reasons is that they should be on the county level. They are the ones accountable to the people who elect them so what we have is a system whereby the elected officials aren't responsible for their own salaries and for setting those salaries so we come to the legislature and do it and I'm opposed to it. We don't need the increases; we've been sent up here to work things out; one of the mandates is that we're spending too much money. I think we're being too loose with the pocketbook.

REP. VINGER said he too is going to oppose the motion. I think \$36,500 is a very good salary and we're giving them a \$2,000 a year increase which is about 7%, but still that amounts to \$2,000. I think that is a substantial increase for one year.

REP. GOULD said we still have to set the salary, but I still think 10%, considering what inflation has done, is meager.

REP. AZZARA: Am I correct that the county attorneys are the highest paid county officials of all elected officials?

ANSWER: No.

REP. GOULD said he would equate that to the judges. We set their salary at about \$45,000.

REP. SWITZER said he opposes the motion. There are some counties in which the county attorney position is a form of early retirement and you can hardly get a person to run for the job because he does have to put in an appearance and it might interfere with his other work. You have county attorneys, and then you have other kinds of county attorneys. This is a blanket coverage and I don't think we want to raise the bad ones too much.

REP. GOULD said, we are only talking about the full-time county attorneys, not the part-time ones.

QUESTION: Shall we raise the county attorney's wage from \$36,500 to \$38,000? A roll call vote resulted in the following: of 19 committee members, 14 voted "no"; 3 voted "yes," and two were absent. The only members voting for the increase were Reps. Dussault, Gould and McBride. The MOTION FAILED by a 14 to 3 vote.

REP. ANDREASON moved that on page 4, line 19, we strike "\$10" and insert "\$15." As we look at the bill, that was one of the most fervently and frequently requested amendments made by people coming to speak for this particular bill. If you look at what fourth through seventh classes of counties receive on their population increment, they were to receive \$20.

REP. SALES said that for the small counties, we raised the base from \$12,000 to \$14,000 and then instead of giving them the \$20 increment as opposed to the large counties, we made theirs \$10 also.

REP. ANDREASON said he would withdraw his motion, but at the same time he would ask for a comparison of what that would do in terms of dollars?

REP. SALES said take your own county, take the population and figure \$5 per hundred. In Missoula County you'd get 760 times 5, which is about \$3,850 plus the \$14,000 base.

CHAIRMAN BERTLESEN asked if the committee is ready for the question. The motion is that SENATE BILL 50 BE CONCURRED IN AS AMENDED.

QUESTION: A roll call vote resulted in the following: Of the 19 committee members, 16 voted "aye"; 2 voted "no" being Reps. Hannah and Sales, and 2 were absent. The motion carried and SENATE BILL 50 received a BE CONCURRED IN AS AMENDED recommendation.

REP. VINGER said he made the statement earlier that the Association of Counties was in favor of pulling that \$2,500 out. He was in error on that they supported in testimony of the subcommittee.

REP. MATSKO moved that we reconsider Senate Bill 50 for the purpose of amendments.

CHAIRMAN BERTELSEN asked Rep. Matsko to explain his reason for requesting this.

REP. MATSKO: It has been brought to my attention that on page 9, line 22 at the beginning of the line there is a stricken 7-4-2503 (1) and after that the Senate in their wisdom put in 7-4-2503. It has just been explained to me that if we don't have that sub (1) in there, there are three counties, (Rosebud, Powder River and Big Horn Counties) whose salaries will be cut back because of a grandfather clause effect. This is what happened last time around when the legislature intended to provide a \$2,000 increase to the county sheriffs. This would cut \$800 off the top of their salaries. This is going to happen again if the sub (1) is not replaced.

REP. VINGER said it was the intent of the subcommittee that when these people run for reelection, their salaries will be dropped down to the base salary of \$14,000 plus \$10 per hundred population. We intend it to be that way because the high evaluation counties are way up there. They should be adjusted down next election time so they are equal with everybody else in the state. That was the intent of the subcommittee.

CHAIRMAN BERTELSEN said in other words, you don't favor the reinsertion of sub (1)?

REP. VINGER said, "no", not if that is what it does.

LEE HEIMAN said what the sub (1) would do is you will take the 7% against the salary plus the \$2,000 for the sheriff. Without the sub (1) all you are doing is taking the 7% against the base salary and seeing that the base is increased by 7% then adding the full \$2,000.

REP. MATSKO said it will affect the sheriff, county superintendents of schools, the county commissioners with their \$2,500 and the county attorney. This increment above their salary will be considered part of that 7%.

REP. DUSSAULT said she doesn't understand why that happens. What does sub (1) say.

REP. MATSKO said it is irregular here. There is a fellow here who explained it to me briefly and maybe he could explain it better, if you'd like to call on Sheriff Hammermeister.

CHAIRMAN BERTELSEN asked committee members if they'd like to hear that explanation. They agreed they would.

SHERIFF HAMMERMEISTER: That subsection (1) is the population increment of \$10 plus \$14,000. Subsection 2 is where the county superintendent of schools gets the extra \$400 and the part time county attorney gets \$1,200 and the sheriff get \$2,000. If subsection 1 is in there, the Superintendent of Schools gets the \$400 in those three counties, the county attorney gets the full \$1,200 and the sheriff gets the full \$2,000. If it encompasses the whole section of law, the way it is written right now, the 7% under the grandfather clause is more than the \$400 the County Superintendent of Schools would receive, so they wouldn't receive anything more than the other elected county officials. (they wouldn't receive the \$400) The only amount of the \$1,200 the county attorney would receive is less than the \$2,000 because he would only see the amount of that \$1,200 that exceeds the 7%, and the sheriff would receive only the amount of that \$2,000 that exceeds the 7% which would mean that the sheriff would get about \$1,000 more than the other elected officials in those three counties. This only affects those 3 counties. They are all coal counties and all first class counties. It would repeal a whole section of law and only gives the county attorney and the sheriff what exceeds the 7%. This is the same type of language that caused the sheriffs to lose out on their increases two years ago.

REP. VINGER said what you're saying then, with subsection (1) in there, is that the sheriff will get the base of \$14,000 plus 7% plus \$2,000.

REP. MATSKO said then what happens is in those three counties, the officials will not get any increment above what the other county officials are getting, namely, the \$400 for the County Superintendents of Schools isn't there; he'll get the same exact amount as everybody else. The county commissioners wouldn't get the same differentials as everybody else in the state would get. Is that what it will do?

REP. WALDRON said the reasons the coal county officials salaries were so high is because they have such a huge taxable value, even though nobody lives there. So if we're going to go over to the population basis, I don't think we should be jacking in some extra money to them just because they have a high evaluation.

REP. MATSKO said these three counties are the only counties where the elected officials will not get the same differential as every other county in the state. As a practical matter of fairness, I don't think it is quite right that some of their elected officials, just because of the way things happen, be cut back and not get the same differential as every other county in the state. Regardless of the dollar figures involved, you are talking about fairness.

REP. WALDRON said if you are going to talk about dollars on a comparative basis to other counties, their salaries are going to be similar.

REP. VINGER said after the next election, their salary will be \$14,000, the same as everyone else.

REP. SALES said he doesn't think there is any need to reconsider because actually the officers in those counties are receiving very high salaries in relation to the other counties because their salary has been created based on the evaluation. They have been paid this high salary without any regard to the responsibilities. The valuation part is what is blowing the salary out of proportion, but they don't come out as well in the long run as some of the other counties do. All the counties come out differently but they do get a guarantee of a 7% increase over what they are getting now.

REP. DUSSAULT said she too would resist the motion. Again, remember the intent of this bill is to establish equity among the various counties for the same office. The problem is that in those three counties the salaries are highly inflated as compared to the other counties because of their taxable valuation base because of coal production.

REP. MATSKO said if it was considered by the committee that there would be a flattening in the differential between these various elective offices in these three counties alone and was accepted, and is acceptable to the members of the committee, that is what we're going to have to go along with. I just thought it would be in the interest of fairness to give it a hearing so everybody would know that this is what will happen. I didn't want what happened last session to happen again.

QUESTION: Shall we reconsider our action on Senate Bill 50 for the purpose of an amendment? A roll call vote resulted in the following: Of the 18 committee members now present, 15 voted against reconsidering action; 3 voted to reconsider, namely Reps. Andreason, Gould and Matsko, and Rep. Hurwitz was absent. THE MOTION FAILED.

SENATE BILL 84

CHAIRMAN BERTELSEN asked Rep. Sales if he would like to

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Local Government Committee
March 26, 1981
Amend Senate Bill 50

1. Page 4, line 17.
Following: "30,000."
Strike: "._"
2. Page 4, lines 18 and 19.
Following: line 17
Strike: "(A)"
Following: "\$14,000"
Strike: "FOR COUNTIES OF THE FIRST THROUGH THIRD CLASS"
3. Page 4, line 22.
Following: "CENSUS"
Strike: "; OR"
Insert: "."
4. Page 4, line 23 through line 1 of page 5.
Strike: subsection (b) in its entirety.
5. Page 6, lines 9 through 25.
Strike: subsection (e) in its entirety.
Reletter: subsequent subsection.
6. Page 8, line 18.
Following: "one);"
Insert: "and"
7. Page 8, line 19.
Following: "salary)"
Strike: "; and the county coroner"
8. Page 9, line 2.
Following: line 1
Strike: "base"
Following: "salary"
Insert: "established by 7-4-2503(1) plus previous cost-of-living increments"
Following: "100%,"
Strike: "NOT MORE THAN"
9. Page 9.
Following: line 24
Insert: "(3) The county governing body shall by resolution, prior to July 1 of each year, establish the salary of the coroner. The salary must be in effect upon the first day of each ensuing fiscal year."

House
Local Government Committee
March 26, 1981
Amend Senate Bill 50

1. Page 4, line 17.
Following: "30,000."
Strike: ":"

2. Page 4, lines 18 and 19.
Following: line 17
Strike: "(A)"
Following: "\$14,000"
Strike: "FOR COUNTIES OF THE FIRST THROUGH THIRD CLASS"

3. Page 4, line 22.
Following: "CENSUS"
Strike: "; OR"
Insert: ."

4. Page 4, line 23 through line 1 of page 5.
Strike: subsection (b) in its entirety.

5. Page 6, lines 9 through 25.
Strike: subsection (e) in its entirety.
Reletter: subsequent subsection.

6. Page 8, line 18.
Following: "one);"
Insert: "and"

7. Page 8, line 19.
Following: "salary)"
Strike: "; and the county coroner"

8. Page 9, line 2.
Following: line 1
Strike: "base"
Following: "salary"
Insert: "established by 7-4-2503(1) plus previous cost-of-living increments"
Following: "100%,"
Strike: "NOT MORE THAN"

9. Page 9.
Following: line 24
Insert: "(3) The county governing body shall by resolution, prior to July 1 of each year, establish the salary of the coroner. The salary must be in effect upon the first day of each ensuing fiscal year."

STANDING COMMITTEE REPORT

March 25, 1951

MR. SPEAKER

We, your committee on LOCAL GOVERNMENT

having had under consideration SENATE Bill No. 50

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS 7-4-2107, 7-4-2501, 7-4-2503, AND 7-4-2504, MCA, ESTABLISHING SALARIES FOR ELECTED COUNTY OFFICIALS AND PROVIDING FOR ANNUAL COST-OF-LIVING ADJUSTMENTS; AND PROVIDING AN EFFECTIVE DATE."

House Amendments to:

Respectfully report as follows: That SENATE Bill No. 50

1. Page 4, line 17.
Following: "50,000."
Strike: "1"

2. Page 4, lines 13 and 19.
Following: line 17
Strike: "(A)"
Following: "214,000"
Strike: "FOR COUNTIES OF THE FIRST THROUGH THIRD CLASS"

3. Page 4, line 22.
Following: "CENSUS"
Strike: "; OR"
Insert: "."

4. Page 4, line 23 through line 1 of page 5.
Strike: subsection (b) in its entirety.

DO:PASS

Amendments to Senate Bill 50 (continued)

5. Page 6, lines 9 through 25.

Strike: subsection (e) in its entirety.

Relatter: subsequent subsection.

6. Page 8, line 13.

Following: "one);"

Insert: "and"

7. Page 8, line 19.

Following: "salary)"

Strike: "; and the county coroner"

8. Page 9, line 2.

Following: line 1

Strike: "base"

Following: "salary"

Insert: "established by 7-4-2503(1) plus previous cost-of-living increments"

Following: "100%,"

Strike: "NOT MORE THAN"

9. Page 9.

Following: line 24

Insert: "(3) The county governing body shall by resolution, prior to July 1 of each year, establish the salary of the coroner. The salary must be in effect upon the first day of each ensuing fiscal year."

AS AMENDED BY CONCURRING IN

.....Warner L. Bertelson.....

Chairman.

1 SENATE BILL NO. 50
 2 INTRODUCED BY McCALLUM
 3 BY REQUEST OF THE COUNTY COMPENSATION BOARD
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
 6 7-4-2107, 7-4-2501, 7-4-2503, AND 7-4-2504, MCA,
 7 ESTABLISHING SALARIES FOR ELECTED COUNTY OFFICIALS AND
 8 PROVIDING FOR ANNUAL COST-OF-LIVING ADJUSTMENTS; AND
 9 PROVIDING AN EFFECTIVE DATE."
 10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 7-4-2503, MCA, is amended to read:
 13 "7-4-2503. Salary schedule for certain county
 14 officers. (1) The salary paid to the county treasurer,
 15 county clerk and recorder, clerk of the district court,
 16 ~~county-attorney~~ PART-TIME COUNTY ATTORNEY, county assessor,
 17 county superintendent of schools, and county sheriff; the
 18 county surveyor in counties where county surveyors receive
 19 salaries as provided in 7-4-2812; and the county auditor in
 20 all counties wherein such office is authorized, for the
 21 fiscal year beginning July 1, 1981, is computed by adding
 22 the ~~sum-of-the-salary-shown-in-column-Ay-based-on-population~~
 23 ~~as-of--January--1y--1979y--to-the-salary-shown-in-column-By~~
 24 ~~based-on--taxable--valuation--as-of--January--1y--1979y--as~~
 25 follows:

1 (a)--Population-of-County-----Column-A-----
 2 -Below-3,000-----44,494-----
 3 -3,000-to--3,999-----44,729-----
 4 -4,000-to--4,999-----44,833-----
 5 -5,000-to--5,999-----44,938-----
 6 -6,000-to--6,999-----45,058-----
 7 -7,000-to--7,999-----45,394-----
 8 -8,000-to--8,999-----45,487-----
 9 -9,000-to--9,999-----45,617-----
 10 10,000-to-12,499-----45,708-----
 11 12,500-to-14,999-----45,826-----
 12 15,000-to-17,499-----45,943-----
 13 17,500-to-19,999-----46,048-----
 14 20,000-to-24,999-----46,165-----
 15 25,000-to-29,999-----46,270-----
 16 30,000-to-39,999-----46,387-----
 17 40,000-to-49,999-----46,544-----
 18 50,000-to-59,999-----46,779-----
 19 60,000-to-69,999-----47,014-----
 20 70,000-to-79,999-----47,275-----
 21 80,000-to-89,999-----47,432-----
 22 90,000-to-99,999-----47,676-----
 23 100,000-and-over-----47,902-----
 24 (b)--Taxable-Valuation-of-County-----Column-B-----
 25 Below-12,000,000-----44,598-----

1 --2,000,000-to--2,999,999-----\$4,729-----
 2 --3,000,000-to--3,999,999-----\$4,833-----
 3 --4,000,000-to--4,999,999-----\$4,938-----
 4 --5,000,000-to--5,999,999-----\$5,069-----
 5 --6,000,000-to--6,999,999-----\$5,394-----
 6 --7,000,000-to--7,999,999-----\$5,487-----
 7 --8,000,000-to--9,999,999-----\$5,617-----
 8 --10,000,000-to--11,999,999-----\$5,708-----
 9 --12,000,000-to--13,999,999-----\$5,826-----
 10 --14,000,000-to--15,999,999-----\$5,942-----
 11 --16,000,000-to--17,999,999-----\$6,047-----
 12 --18,000,000-to--19,999,999-----\$6,165-----
 13 --20,000,000-to--22,499,999-----\$6,270-----
 14 --22,500,000-to--24,999,999-----\$6,387-----
 15 --25,000,000-to--29,999,999-----\$6,544-----
 16 --30,000,000-to--34,999,999-----\$6,779-----
 17 --35,000,000-to--39,999,999-----\$7,014-----
 18 --40,000,000-to--44,999,999-----\$7,275-----
 19 --45,000,000-to--49,999,999-----\$7,432-----
 20 --50,000,000-to--54,999,999-----\$7,667-----
 21 --55,000,000-to--59,999,999-----\$7,902-----
 22 --60,000,000-to--64,999,999-----\$8,138-----
 23 --65,000,000-to--69,999,999-----\$8,372-----
 24 --70,000,000-to--74,999,999-----\$8,607-----
 25 --75,000,000-to--79,999,999-----\$8,843-----

1 --80,000,000-to--84,999,999-----\$9,078-----
 2 --85,000,000-to--89,999,999-----\$9,313-----
 3 --90,000,000-to--94,999,999-----\$9,548-----
 4 --95,000,000-to--99,999,999-----\$9,783-----
 5 100,000,000-to--109,999,999-----\$10,019-----
 6 110,000,000-to--119,999,999-----\$10,195-----
 7 120,000,000-to--129,999,999-----\$10,398-----
 8 130,000,000-to--139,999,999-----\$10,606-----
 9 140,000,000-to--149,999,999-----\$10,817-----
 10 150,000,000-to--159,999,999-----\$11,035-----
 11 160,000,000-and-over-----\$11,265-----
 12 annual base salary of \$14,000 to the following population
 13 increments: \$20 for each 100 persons or major fraction
 14 thereof included in the county's population as determined by
 15 the 1980 federal decennial census up to a total of 30,000
 16 and \$15 for each 100 persons or major fraction thereof above
 17 30,000.
 18 (A) --\$14,000 FOR COUNTIES OF THE FIRST THROUGH THIRD
 19 CLASS TO THE POPULATION INCREMENT OF \$10 FOR EACH 100
 20 PERSONS OR MAJOR FRACTION THEREOF INCLUDED IN THE COUNTY'S
 21 POPULATION AS DETERMINED BY THE 1980 FEDERAL DECENNIAL
 22 CENSUS OR.
 23 (B) --\$12,000 FOR COUNTIES OF THE FOURTH THROUGH SEVENTH
 24 CLASS TO THE POPULATION INCREMENT OF \$20 PER 100 PERSONS OR
 25 MAJOR FRACTION THEREOF INCLUDED IN THE COUNTY'S POPULATION

~~AS DETERMINED BY THE 1980 FEDERAL DECENNIAL CENSUS.~~

(2) (a) The county superintendent of schools shall receive, in addition to the salary based upon the totals of columns A and B above subsection (1), the sum of \$400 \$500 \$400 per year.

(b) The county sheriff shall receive, in addition to the salary based upon the totals of columns A and B above subsection (1), the sum of \$2,000 \$5,000 \$2,000 per year.

(c) Except in counties of population greater than 30,000, the county attorney shall receive in addition to the salary based upon the totals of column A and B above the sum of \$1,200 EXCEPT IN COUNTIES WITH A POPULATION GREATER LESS THAN 30,000, THE COUNTY ATTORNEY WHO IS A PART-TIME OFFICIAL SHALL RECEIVE, IN ADDITION TO THE SALARY BASED UPON SUBSECTION (1), THE SUM OF \$1,200 PER YEAR. In each county with a population in excess of 30,000, the salary of the county attorney shall be a full-time official under 7-4-2704, and his salary for the fiscal year beginning July 1, 1981, shall be \$30,000 \$45,000 \$36,500 per year.

(d) In those counties where the office of the county attorney has been established as a full-time position pursuant to 7-4-2706, the salary of the county attorney for the fiscal year beginning July 1, 1981, shall be set by resolution of the county commission but it shall not exceed the salary of the county attorney in a county with a

population in excess of 30,000 \$45,000 \$36,500. In other counties of less than 30,000 population the county attorney shall be a part-time official and his salary shall be \$22,500 for the fiscal year beginning July 1, 1981, Beginning on July 1, 1982, and on July 1 of each succeeding year, each county attorney shall be entitled to an increase in salary equal to the cost-of-living increment authorized for other county officials in 7-4-2504.

(e) In counties where the population is 30,000 or greater, the office of coroner shall MAY be a full-time position, and the SUCH coroner shall receive an annual base salary of \$14,000 for the fiscal year beginning July 1, 1981, plus the population increments authorized for other county offices in subsection (1) in counties of less than 30,000, the office of coroner shall be a part-time position, and in addition to the population increments authorized in subsection (1) the coroner shall receive as an annual salary:

(i) in counties of population less than 5,000, \$300;

(ii) in counties of population of at least 5,000 but less than 15,000, \$600;

(iii) in counties of population of at least 15,000 but less than 30,000, \$1,200;

(iv) such additional compensation as the county governing board may by resolution provide.

end

~~(f)(E)~~ For each 10th year after the fiscal year beginning July 1, 1981, the latest federal decennial census statistics shall be the basis for computation of population increments under this section. During the intervening 9 years, the computation of population increments applicable on July 1 of each year shall be based on the last calendar year's annual estimates of counties' populations compiled by the federal-state cooperative program for estimates of the university of Montana bureau of business and economic research and the U.S. bureau of the census or other estimate that the bureau of business and economic research may certify."

Section 2. Section 7-4-2107, MCA, is amended to read:

"7-4-2107. Compensation of county commissioners. (1) Each member of the board of county commissioners in counties of the first, second, third, and fourth class shall receive an annual salary ~~to be established by resolution of the board in an amount not equal~~ to exceed the annual salary established ~~in the schedule in 7-4-2503 for the clerk and recorder \$45-\$2,500, and the board of county commissioners may by resolution increase the salary of each county commissioner by a sum not greater than 10% more than authorized for the county clerk and recorder in 7-4-2503.~~

(2) Each member of the board in all other counties is entitled to a ~~an annual~~ A salary to be established by the

~~board by resolution in an amount not to exceed \$40 per day for each day's attendance on the sessions of the board equal to 55% of the annual salary authorized in 7-4-2503 for the clerk and recorder or \$90~~ OF NOT MORE THAN \$50 for each day in which he is actually and necessarily engaged in the performance of board duties as set by resolution of the board.

(3) This section does not apply to counties that have adopted a charter form of government."

Section 3. Section 7-4-2504, MCA, is amended to read:

"7-4-2504. Salaries to be fixed by resolution ~~cost~~ of living increments. (1) The county governing body shall by resolution, on or before July 1, ~~1979, 1982, and on or before July 1 of each year thereafter adjust and UNIFORMLY~~ fix the salaries of the county treasurer, county clerk, county assessor, county school superintendent, county sheriff, and ~~county attorney~~ the clerk of the district court; the county auditor (if there is one); ~~AND~~ the county surveyor (if he receives a salary) ~~and the county coroner (if he receives a salary) however the salary of the elected county official for fiscal year 1980 must be the greater of the amount computed by increasing the salary authorized for that official on June 30, 1979, by 7% or by using the salary schedule in 7-4-2503 for cost of living increase by adding to the annual salary computed under~~

1 7-4-2503 an increment calculated by applying to the annual
 2 base salary ESTABLISHED BY 7-4-2503(1) PLUS PREVIOUS COST OF
 3 LIVING INCREMENTS of ~~14,000, 100%~~, NOT MORE THAN 70% of
 4 the last previous calendar year's consumer price index for
 5 all urban consumers, U.S. department of labor, bureau of
 6 labor statistics, or other index that the bureau of business
 7 and economic research of the university of Montana may in
 8 the future recognize as the successor to that index. The
 9 cost-of-living increment for the fiscal year beginning July
 10 1, 1983, and for each subsequent fiscal year shall be added
 11 to all cost-of-living increments granted for previous years.

12 (2) The county governing body shall by resolution on
 13 or before July 1, 1980, fix the salaries of the county
 14 treasurer, county clerk, county assessor, county school
 15 superintendent, county sheriff, and county attorney, the
 16 clerk of the district court, the county auditor (if there is
 17 one), the county surveyor (if he receives a salary), and the
 18 county coroner (if he receives a salary) for the following
 19 fiscal year by increasing the salary authorized for that
 20 official on June 30, 1980, by 7%. If the application of
 21 7-4-2503(1) 7-4-2503 does not qualify a county official for
 22 a salary increase of at least 10% 7% on July 1, 1981, his
 23 salary on that date shall be increased by an amount
 24 sufficient to provide him total salary equal to 10% 7% more
 25 than during the previous year.

1 (3) THE COUNTY GOVERNING BODY SHALL BY RESOLUTION,
 2 PRIOR TO JULY 1 OF EACH YEAR, ESTABLISH THE SALARY OF THE
 3 CORONER. THE SALARY MUST BE IN EFFECT UPON THE FIRST DAY OF
 4 EACH ENSUING FISCAL YEAR."

5 Section 4. Section 7-4-2501, MCA, is amended to read:
 6 "7-4-2501. Compensation of county officers. (1) The
 7 county surveyor (if not receiving a salary under 7-4-2812)
 8 and the public administrator may collect and receive for
 9 their own use, respectively, for official services, the fees
 10 and emoluments prescribed by law.

11 (2) All other county officers receive salaries.
 12 (3) The coroner is entitled to receive a salary
 13 established prior to July 1 of each year by the board of
 14 county commissioners. The salary must be in effect upon the
 15 first day of each ensuing fiscal year."

16 Section 5. Effective date. This act is effective July
 17 1, 1981.

-End-

100

FREE CONFERENCE COMMITTEE
ON SENATE BILL NO. 50

(Report No. 1, April 15, 1981)

MR. PRESIDENT AND SPEAKER OF THE HOUSE:

We, your Free Conference Committee on Senate Bill No. 50, met April 15, 1981, and considered:

House Local Government Committee Amendments to the third reading copy, dated March 26, 1981, and;

House Committee of the Whole Amendments to the third reading copy, dated March 28, 1981, and recommend as follows:

That the House recede from Standing Committee amendment nos. 1 and 3, dated March 26, 1981;

That the Senate accede to Standing Committee amendment nos. 2 and 4 through 9, dated March 26, 1981;

That the Senate accede to Committee of the Whole amendment no. 1;

That Senate Bill No. 50 be further amended as specified in CLERICAL INSTRUCTION nos. 3 through 6;

That the reference copy of Senate Bill No. 50 read as specified in the CLERICAL INSTRUCTIONS;

And, that the Free Conference Committee Report to Senate Bill No. 50 be adopted.

CLERICAL INSTRUCTIONS:

1. Page 4, line 17.

Following: "30,000±"

Insert: "±"

2. Page 4, line 18.

Following: "{A}"

Insert: "(A)"

Following: "\$14,000"

Insert: "for the counties of the first through fifth class"

3. Page 4, line 22.

Following: "CENSUS±-OR"

Strike: "±"

Insert: "; OR"

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Free Conference Committee on
Senate Bill No. 50
Page 2

4. Page 5.

Following: line 1

Insert: "(B) \$12,000 for counties of the sixth and seventh class to the population increment of \$20 per 100 persons or major fraction thereof in the county's population as determined by the 1980 federal decennial census."

5. Page 6, lines 7 and 8.

Following: "salary"

Strike: the remainder of lines 7 and 8

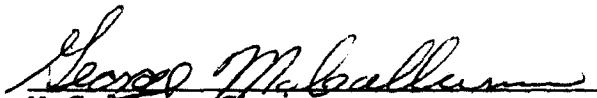
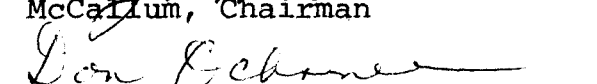
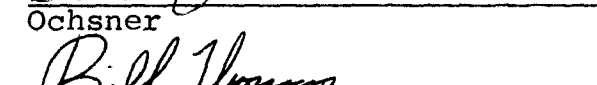
Insert: "calculated by adding to his annual salary on July 1, 1981, an increment of 70% of the last previous calendar year's consumer price index for all urban consumers, U. S. department of labor, bureau of labor statistics, or other index that the bureau of business and economic research of the university of Montana may in the future recognize as the successor to that index. The cost of living increment for the fiscal year beginning July 1, 1983, and for each subsequent fiscal year, shall be added to all cost of living increments granted for previous years."

6. Page 7, line 20.

Following: "recorder"

Insert: "plus \$2,000"

FOR THE SENATE:


McCallum, Chairman

Ochsner

Thomas

FOR THE HOUSE:

Sales, Chairman


Dussault

Vinger

1 SENATE BILL NO. 50
2 INTRODUCED BY McCALLUM
3 BY REQUEST OF THE COUNTY COMPENSATION BOARD
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
6 7-4-2107, 7-4-2501, 7-4-2503, AND 7-4-2504, MCA,
7 ESTABLISHING SALARIES FOR ELECTED COUNTY OFFICIALS AND
8 PROVIDING FOR ANNUAL COST-OF-LIVING ADJUSTMENTS; AND
9 PROVIDING AN EFFECTIVE DATE."
10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12 Section 1. Section 7-4-2503, MCA, is amended to read:
13 "7-4-2503. Salary schedule for certain county
14 officers. (1) The salary paid to the county treasurer,
15 county clerk and recorder, clerk of the district court,
16 county attorney, PART-TIME COUNTY ATTORNEY, county assessor,
17 county superintendent of schools, and county sheriff; the
18 county surveyor in counties where county surveyors receive
19 salaries as provided in 7-4-2812; and the county auditor in
20 all counties wherein such office is authorized, for the
21 fiscal year beginning July 1, 1981, is computed by adding
22 the sum of the salary shown in column A, based on population
23 as of January 1, 1979, to the salary shown in column B,
24 based on taxable valuation as of January 1, 1979, as
25 follows:

1 (a) -- Population of County ----- Column A -----
2 Below 3,000 ----- \$4,494 -----
3 3,000 to 3,999 ----- \$4,729 -----
4 4,000 to 4,999 ----- \$4,833 -----
5 5,000 to 5,999 ----- \$4,938 -----
6 6,000 to 6,999 ----- \$5,058 -----
7 7,000 to 7,999 ----- \$5,394 -----
8 8,000 to 8,999 ----- \$5,487 -----
9 9,000 to 9,999 ----- \$5,617 -----
10 10,000 to 12,499 ----- \$5,788 -----
11 12,500 to 14,999 ----- \$5,826 -----
12 15,000 to 17,499 ----- \$5,943 -----
13 17,500 to 19,999 ----- \$6,848 -----
14 20,000 to 24,999 ----- \$6,165 -----
15 25,000 to 29,999 ----- \$6,278 -----
16 30,000 to 39,999 ----- \$6,387 -----
17 40,000 to 49,999 ----- \$6,544 -----
18 50,000 to 59,999 ----- \$6,779 -----
19 60,000 to 69,999 ----- \$7,114 -----
20 70,000 to 79,999 ----- \$7,275 -----
21 80,000 to 89,999 ----- \$7,432 -----
22 90,000 to 99,999 ----- \$7,676 -----
23 100,000 and over ----- \$7,982 -----
24 (b) -- Taxable Valuation of County ----- Column B -----
25 Below \$2,000,000 ----- \$4,598 -----

1 --2,000,000-to--2,999,999-----\$47,229-----
 2 --3,000,000-to--3,999,999-----\$47,833-----
 3 --4,000,000-to--4,999,999-----\$47,938-----
 4 --5,000,000-to--5,999,999-----\$57,069-----
 5 --6,000,000-to--6,999,999-----\$57,394-----
 6 --7,000,000-to--7,999,999-----\$57,487-----
 7 --8,000,000-to--9,999,999-----\$57,617-----
 8 --10,000,000-to--11,999,999-----\$57,708-----
 9 --12,000,000-to--13,999,999-----\$57,826-----
 10 --14,000,000-to--15,999,999-----\$57,942-----
 11 --16,000,000-to--17,999,999-----\$67,047-----
 12 --18,000,000-to--19,999,999-----\$67,165-----
 13 --20,000,000-to--22,499,999-----\$67,270-----
 14 --22,500,000-to--24,999,999-----\$67,387-----
 15 --25,000,000-to--29,999,999-----\$67,544-----
 16 --30,000,000-to--34,999,999-----\$67,779-----
 17 --35,000,000-to--39,999,999-----\$77,014-----
 18 --40,000,000-to--44,999,999-----\$77,275-----
 19 --45,000,000-to--49,999,999-----\$77,432-----
 20 --50,000,000-to--54,999,999-----\$77,667-----
 21 --55,000,000-to--59,999,999-----\$77,902-----
 22 --60,000,000-to--64,999,999-----\$87,138-----
 23 --65,000,000-to--69,999,999-----\$87,372-----
 24 --70,000,000-to--74,999,999-----\$87,607-----
 25 --75,000,000-to--79,999,999-----\$87,843-----

1 --80,000,000-to--84,999,999-----\$97,078-----
 2 --85,000,000-to--89,999,999-----\$97,313-----
 3 --90,000,000-to--94,999,999-----\$97,548-----
 4 --95,000,000-to--99,999,999-----\$97,783-----
 5 100,000,000-to--109,999,999-----\$107,019-----
 6 110,000,000-to--119,999,999-----\$107,195-----
 7 120,000,000-to--129,999,999-----\$107,398-----
 8 130,000,000-to--139,999,999-----\$107,606-----
 9 140,000,000-to--149,999,999-----\$107,817-----
 10 150,000,000-to--159,999,999-----\$117,035-----
 11 160,000,000-and-over-----\$117,265-----
 12 annual base salary of \$14,000 to the following population
 13 increments--\$20 for each--100--persons--or--major--fraction
 14 thereof--included--in--the--county's--population--as--determined--by
 15 the--1980--federal--decennial--census--up--to--a--total--of--30,000
 16 and--\$15--for--each--100--persons--or--major--fraction--thereof--above
 17 30,000+;
 18 (A) \$14,000 FOR COUNTIES OF THE FIRST THROUGH THIRD
 19 CLASS FOR THE COUNTIES OF THE FIRST THROUGH FIFTH CLASS TO
 20 THE POPULATION INCREMENT OF \$10 FOR EACH 100 PERSONS OR
 21 MAJOR FRACTION THEREOF INCLUDED IN THE COUNTY'S POPULATION
 22 AS DETERMINED BY THE 1980 FEDERAL DECENNIAL CENSUS; OR
 23 (B) \$12,000 FOR COUNTIES OF THE FOURTH THROUGH SEVENTH
 24 CLASS TO THE POPULATION INCREMENT OF \$20 PER 100 PERSONS--OR
 25 MAJOR--FRACTION--THEREOF--INCLUDED--IN--THE--COUNTY'S--POPULATION

A5-DETERMINED-BY-THE-1980-FEDERAL-DECENNIAL-CENSUS

(B) \$12,000 FOR COUNTIES OF THE SIXTH AND SEVENTH CLASS TO THE POPULATION INCREMENT OF \$20 PER 100 PERSONS OR MAJOR FRACTION THEREOF IN THE COUNTY'S POPULATION AS DETERMINED BY THE 1980 FEDERAL DECENNIAL CENSUS.

(2) (a) The county superintendent of schools shall receive, in addition to the salary based upon the totals of columns A and B above subsection (1), the sum of \$400 ~~\$500~~ \$400 per year.

(b) The county sheriff shall receive, in addition to the salary based upon the totals of columns A and B above subsection (1), the sum of \$2,000 ~~\$5,000~~ \$2,000 per year.

(c) ~~Except in counties of population greater than 30,000, the county attorney shall receive, in addition to the salary based upon the totals of column A and B above, the sum of \$1,200.~~ EXCEPT IN COUNTIES WITH A POPULATION GREATER LESS THAN 30,000, THE COUNTY ATTORNEY WHO IS A PART-TIME OFFICIAL SHALL RECEIVE, IN ADDITION TO THE SALARY BASED UPON SUBSECTION (1), THE SUM OF \$1,200 PER YEAR. In each county with a population in excess of 30,000, the salary of the county attorney shall be a full-time official under 7-4-2704, and his salary for the fiscal year beginning July 1, 1981, shall be \$30,000 ~~\$45,000~~ \$36,500 per year.

(d) In those counties where the office of the county attorney has been established as a full-time position

pursuant to 7-4-2706, the salary of the county attorney for the fiscal year beginning July 1, 1981, shall be set by resolution of the county commission but it shall not exceed the salary of the county attorney in a county with a population in excess of 30,000 ~~\$45,000~~ \$36,500. In other counties of less than 30,000 population the county attorney shall be a part-time official and his salary shall be \$22,500 for the fiscal year beginning July 1, 1981. Beginning on July 1, 1982, and on July 1 of each succeeding year, each county attorney shall be entitled to an increase in salary equal to the cost of living increment authorized for other county officials in 7-4-2504, CALCULATED BY ADDING TO HIS ANNUAL SALARY ON JULY 1, 1981, AN INCREMENT OF 70% OF THE LAST PREVIOUS CALENDAR YEAR'S CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, U.S. DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, OR OTHER INDEX THAT THE BUREAU OF BUSINESS AND ECONOMIC RESEARCH OF THE UNIVERSITY OF MONTANA MAY IN THE FUTURE RECOGNIZE AS THE SUCCESSOR TO THAT INDEX. THE COST-OF-LIVING INCREMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 1983, AND FOR EACH SUBSEQUENT FISCAL YEAR, SHALL BE ADDED TO ALL COST-OF-LIVING INCREMENTS GRANTED FOR PREVIOUS YEARS.

~~(e) in counties where the population is 30,000 or greater, the office of coroner shall MAY be a full-time position, and the SUCH coroner shall receive an annual base salary of \$14,000 for the fiscal year beginning July 1,~~

25

~~1981; plus the population increments authorized for other county offices in subsection (i) in counties of less than 30,000; the office of coroner shall be a part-time position and, in addition to the population increments authorized in subsection (i), the coroner shall receive as an annual salary:~~

~~(i) in counties of population less than 5,000, \$300;~~

~~(ii) in counties of population of at least 5,000 but less than 15,000, \$600;~~

~~(iii) in counties of population of at least 15,000 but less than 30,000, \$1,200;~~

~~(iv) such additional compensation as the county governing board may by resolution provide.~~

~~(f)(E) For each 10th year after the fiscal year beginning July 1, 1981, the latest federal decennial census statistics shall be the basis for computation of population increments under this section. During the intervening 9 years, the computation of population increments applicable on July 1 of each year shall be based on the last calendar year's annual estimates of counties' populations compiled by the federal-state cooperative program for estimates of the university of Montana bureau of business and economic research and the U.S. bureau of the census or other estimate that the bureau of business and economic research may certify."~~

Section 2. Section 7-4-2107, MCA, is amended to read:

"7-4-2107. Compensation of county commissioners. (1)

Each member of the board of county commissioners in counties of the first, second, third, and fourth class shall receive an annual salary to be established by resolution of the board in an amount not equal to exceed the annual salary established in the schedule in 7-4-2503 for the clerk and recorder ~~PLUS \$2,500 PLUS \$2,000; and the board of county commissioners may by resolution increase the salary of each county commissioner by a sum not greater than 3% more than authorized for the county clerk and recorder in 7-4-2503.~~

(2) Each member of the board in all other counties is entitled to a ~~an annual~~ A salary to be established by the board by resolution in an amount not to exceed \$40 per day for each day's attendance on the sessions of the board ~~equal to 55% of the annual salary authorized in 7-4-2503 for the clerk and recorder or \$80~~ OF NOT MORE THAN \$50 for each day in which he is actually and necessarily engaged in the performance of board duties as set by resolution of the board.

(3) This section does not apply to counties that have adopted a charter form of government."

Section 3. Section 7-4-2504, MCA, is amended to read:

"7-4-2504. Salaries to be fixed by resolution -- ~~cost-of-living increments.~~ (1) The county governing body

1 shall by resolution, on or before July 1, ~~1979, 1982, and on~~
 2 ~~or before July 1 of each year thereafter adjust and~~
 3 UNIFORMLY fix the salaries of the county treasurer, county
 4 clerk, county assessor, county school superintendent, county
 5 sheriff, and ~~county--attorney~~ the clerk of the district
 6 court; the county auditor (if there is one); AND the county
 7 surveyor (if he receives a salary)~~†and the county coroner~~
 8 ~~(if he receives a salary)†however the salary of the~~
 9 ~~elected county official for fiscal year 1980 must be the~~
 10 ~~greater of the amount computed by increasing the salary~~
 11 ~~authorized for that official on June 30, 1979, by 7% or by~~
 12 ~~using the salary schedule in 7-4-2503, for cost-of-living~~
 13 ~~increase by adding to the annual salary computed under~~
 14 ~~7-4-2503 an increment calculated by applying to the annual~~
 15 ~~base salary ESTABLISHED BY 7-4-2503(1) PLUS PREVIOUS~~
 16 ~~COST-OF-LIVING INCREMENTS of \$14,000, 100%, NOT MORE THAN~~
 17 ~~70% of the last previous calendar year's consumer price~~
 18 ~~index for all urban consumers, U.S. department of labor,~~
 19 ~~bureau of labor statistics, or other index that the bureau~~
 20 ~~of business and economic research of the university of~~
 21 ~~Montana may in the future recognize as the successor to that~~
 22 ~~index. The cost-of-living increment for the fiscal year~~
 23 ~~beginning July 1, 1983, and for each subsequent fiscal year~~
 24 ~~shall be added to all cost-of-living increments granted for~~
 25 ~~previous years.~~

1 (2) ~~The county governing body shall by resolution on~~
 2 ~~or before July 1, 1980, fix the salaries of the county~~
 3 ~~treasurer, county clerk, county assessor, county school~~
 4 ~~superintendent, county sheriff, and county attorney, the~~
 5 ~~clerk of the district court, the county auditor (if there is~~
 6 ~~one), the county surveyor (if he receives a salary), and the~~
 7 ~~county coroner (if he receives a salary) for the following~~
 8 ~~fiscal year by increasing the salary authorized for that~~
 9 ~~official on June 30, 1980, by 7%. If the application of~~
 10 ~~7-4-2503†† 7-4-2503 does not qualify a county official for~~
 11 ~~a salary increase of at least 10% 7% on July 1, 1981, his~~
 12 ~~salary on that date shall be increased by an amount~~
 13 ~~sufficient to provide him total salary equal to 10% 7% more~~
 14 ~~than during the previous year.~~

15 (3) THE COUNTY GOVERNING BODY SHALL BY RESOLUTION,
 16 PRIOR TO JULY 1 OF EACH YEAR, ESTABLISH THE SALARY OF THE
 17 CORONER. THE SALARY MUST BE IN EFFECT UPON THE FIRST DAY OF
 18 EACH ENSUING FISCAL YEAR."

19 Section 4. Section 7-4-2501, MCA, is amended to read:
 20 "7-4-2501. Compensation of county officers. (1) The
 21 county surveyor (if not receiving a salary under 7-4-2812)
 22 and the public administrator may collect and receive for
 23 their own use, respectively, for official services, the fees
 24 and emoluments prescribed by law.

25 (2) All other county officers receive salaries.

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1 ~~(3) The coroner is entitled to receive a salary~~
2 ~~established prior to July 1 of each year by the board of~~
3 ~~county commissioners. The salary must be in effect upon the~~
4 ~~first day of each ensuing fiscal year.~~"

5 Section 5. Effective date. This act is effective July
6 1, 1981.

-End-